

** The public will be able to fully participate in the meeting through their smart phone or computer by accessing this **Website:** <https://us04web.zoom.us/j/106827708>

Or you may call any of the following numbers with your phone. Meeting ID# **106 827 708**

+1 (312) 626 6799	+1 (301) 715 8592
+1 (929) 205 6099	+1 (346) 248 7799
+1 (253) 215 8782	+1 (669) 900 6833

**** Please note: by calling in you will only be able to hear the meeting and will not be able to participate with any public comment.**

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

**COMBINED AGENDA AND REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

AUGUST 3, 2020

AGENDA

1. Agenda Meeting Called to Order. (6:30 p.m.)

2. Salute to the Flag.

3. **ROLL CALL:**

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

4. Council President Cohen to request the **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, 2020 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 3, 2020;
3. Posted on the Monroe Township website; and
4. Sent to those individuals who have requested personal notice.

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

5. **ORDINANCE(S)** for **SECOND READING** at the August 3, 2020 Regular Meeting:

O-6-2020-012 **ORDINANCE TO AUTHORIZE A CONSERVATION RESTRICTION AGREEMENT FOR REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 18, LOT 17 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF PERRINEVILLE ROAD FOR OPEN SPACE.** (Galaxy Land Corp.)
(Corresponding Resolution for County Grant No. R-6-2020-146 passed 6/22/20)

O-6-2020-013 **ORDINANCE TO ACQUIRE, BY NEGOTIATED AGREEMENT, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 36, LOT 32 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF ENGLISHTOWN ROAD FOR OPEN SPACE AND GOVERNMENTAL PURPOSES.**
(35 acres - \$300,000)

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6. **ORDINANCE(S) for INTRODUCTION** at the August 3, 2020 Regular Meeting:

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O-8-2020-017 **BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$2,967,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,825,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

7. **RESOLUTIONS for CONSIDERATION** under **CONSENT AGENDA** at the August 3, 2020, Regular Meeting: (R-8-2020-167 – R-8-2020-188)

R-8-2020-167 **RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES. (various refunds for Stratford Developers totaling \$4,329.00)**

R-8-2020-168 **RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF ARNOLD RIBACK TO THE AFFORDABLE HOUSING BOARD. (Alt 2 unexpired 2-year term)**

R-8-2020-169 **RESOLUTION AUTHORIZING AWARD OF BID TO JEN ELECTRIC, INC. FOR EMERGENCY TRAFFIC SIGNAL AND BEACON MAINTENANCE AND REPAIRS. (12-month contract; as needed; not to exceed \$40,000)**

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R-8-2020-173 **RESOLUTION AUTHORIZING FEES FOR ELECTRONIC TAX SALE NOTICES.**

R-8-2020-174 **RESOLUTION AUTHORIZING REFUND OF THIRD-PARTY TAX LIEN PREMIUM PAYMENTS.**

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- R-8-2020-178** **RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1142 MORNING GLORY DRIVE.**

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- R-8-2020-182** **RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT NO. 479 “ION EXCHANGE SYSTEM REPAIR AND MAINTENANCE” WITH LAYNE EXTENDING THE TERMINATION DATE TO MAY 7, 2021 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (contract extension- expiring 5/7/2021 – unit pricing)

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- R-8-2020-184** **RESOLUTION AUTHORIZING AWARD OF BID TO MECO, INC. FOR 2020 ROADWAY IMPROVEMENT PROJECT.** (\$1,217,045.38)

- R-8-2020-185** **RESOLUTION AUTHORIZING AWARD OF BID TO DOT DESIGNING INC. FOR SHIRTS AND HATS.** (Per Unit Pricing)

- R-8-2020-186** **RESOLUTION AUTHORIZING AWARD OF BID TO PABCO INDUSTRIES FOR GRASS BAGS.** (Qty: 288,000 @ \$.042 = \$120,960)

- R-8-2020-187** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BONDS POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC, FOR PHASE 2, SECTION 8B; PHASE 2, SECTION 9; PHASE 2, SECTION 10; PHASE 2, SECTION 10 PARTIAL STORM; AND PHASE 2, PERIMETER ONLY OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**

- R-8-2020-188** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY K. HOVNANIAN AT MONROE NJ II, LLC, FOR THE NORTH VILLAGE OF THE FOUR SEASONS AT MONROE DEVELOPMENT.**

8. **Public Comments.** (limited to **Agenda items only** - 5 Minutes per Speaker)

OPEN: MOTION: _____ SECOND: _____

CLOSE: MOTION: _____ SECOND: _____

9. **Agenda Meeting Adjournment.** Time: _____

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

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**REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

AUGUST 3, 2020

AGENDA

1. **REGULAR MEETING CALLED TO ORDER:** Time: _____

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

2. **MOTION** to approve the payment of **CLAIMS** per run date **June 24, 2020 and July 30, 2020.**

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

3. **APPROVAL OF MINUTES:**

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

June 22, 2020 – Agenda/Regular Combined Meeting

July 1, 2020 – Special Meeting

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

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

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PUBLIC HEARING OPEN: MOTION: _____ SECOND: _____

PUBLIC HEARING CLOSE: MOTION: _____ SECOND: _____

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

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PUBLIC HEARING OPEN: MOTION: _____ SECOND: _____

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

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

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THE PERFORMANCE BOND POSTED BY K. HOVNANIAN AT
MONROE NJ II, LLC, FOR THE NORTH VILLAGE OF THE
FOUR SEASONS AT MONROE DEVELOPMENT.**

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

7. **RESOLUTIONS removed** from consent agenda for **CONSIDERATION (if needed).**

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

8. Mayor's Report.

9. Administrator's Report.

10. Engineer's Report.

11. Council's Reports.

12. Public Comments. (5 Minutes per Speaker)

OPEN: MOTION: _____ SECOND: _____

CLOSE: MOTION: _____ SECOND: _____

13. Adjournment. MOTION: _____ SECOND: _____

Time: _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES

MEETING OF THE MONROE TOWNSHIP COUNCIL – AUGUST 3, 2020

The Council of the Township of Monroe met remotely via Zoom for a Combined Agenda/Regular Meeting.

The Combined Agenda/Regular Meeting was Called to Order at 6:30 p.m. by Council President Miriam Cohen 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, Councilman Stephen Dalina, Councilman Charles Dipierro, Council Vice-President Elizabeth Schneider and Council President Miriam Cohen.

ALSO, PRESENT: Mayor Gerald W. Tamburro, Business Administrator Alan M. Weinberg, Township Attorney Lou Rainone, Engineer Mark Rasimowicz, Utility Director Joseph Stroin, Chief Michael Biennas and Deputy Township Clerk Christine Robbins.

There were approximately twenty (20) members of the Public who joined remotely.

Council President Miriam Cohen 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, 2020 and remains posted at that location for public inspection;
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Township Clerk Patricia Reid read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, AUGUST 3, 2020** Regular Council Meeting:

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- R-8-2020-187** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BONDS POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC, FOR PHASE 2, SECTION 8B; PHASE 2, SECTION 9; PHASE 2, SECTION 10; PHASE 2, SECTION 10 PARTIAL STORM; AND PHASE 2, PERIMETER ONLY OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**
- R-8-2020-188** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY K. HOVNANIAN AT MONROE NJ II, LLC, FOR THE NORTH VILLAGE OF THE FOUR SEASONS AT MONROE DEVELOPMENT.**

Councilman Baskin stated that he will recuse himself from resolution R-8-2020-187; Councilman Dipierro requested that resolutions R-8-2020-180, 181, 183 and 185 be removed and voted on separately and noted that he will be recusing himself from voting on Ordinance O-8-2020-015.

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the **PUBLIC COMMENTS** portion of the Meeting was opened. All were in favor, none opposed.

PUBLIC COMMENTS:

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked what the use of funds was for in regard to resolution R-8-2020-175; Administrator Weinberg answered that the \$85,000 in Clean Communities monies were targeted for recycling activities.

Mrs. Arminio asked for clarification on resolutions R-8-2020-178 and R-8-2020-179 if the homeowners have satisfied their affordable housing obligation; Attorney Rainone answered that these two cases are a transfer of ownership and further ensures that the affordable housing controls are put into place.

Mrs. Arminio questions what the water purification entails in regard to resolution R-8-2020-182; Director Joe Stroin explained that the equipment we utilize in the water plant removes the iron out of the water.

Lastly, Mrs. Arminio asked for clarification on resolutions R-8-2020-187 and R-8-2020-188 and if we were suing for the bonds; Attorney Rainone answered that we have put them on notice of default of the bonds. Mrs. Arminio asked what the amounts were to which Administrator Weinberg answered that in regard to R-8-2020-188 the total bond amount is \$2.93 million with 10% being cash and R-8-2020-187 is \$2.59 million with 10% being cash. Mrs. Arminio then remarked that we will be paying the attorney extra money for these litigations to which Attorney Rainone responded that they will indeed be in court, but this is part of the attorney litigation fees encompassed in their contract.

Prakash Parab, 33 Dayna Dr. – Mr. Parab asked in regard to resolution R-8-2020-175 if the grants are coming from the State and is so how much have we received thus far; Administrator Weinberg answered that we have received \$85,000 last year and the same amount for this year.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Schneider, the **PUBLIC COMMENTS** portion of the Meeting was closed. All were in favor, none opposed

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the Agenda Meeting was Adjourned at 6:47pm.

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

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the Regular Meeting was Called to Order at 6:47pm.

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

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the **CLAIMS** per run date of **6/24/2020 AND 7/30/2020** were approved for payment as written and presented.

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

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Dipierro, the **MINUTES** of the **June 22, 2020 Agenda/Regular Combined Meeting and the July 1, 2020 Special Meeting** were approved as written and presented.

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

UPON ACTION made by the Council the following Ordinance(s) were **moved on SECOND READING for FINAL ADOPTION** as follows:

O-6-2020-012 ORDINANCE TO AUTHORIZE A CONSERVATION RESTRICTION AGREEMENT FOR REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 18, LOT 17 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF PERRINEVILLE ROAD FOR OPEN SPACE.
(Galaxy Land Corp.)
(Corresponding Resolution for County Grant No. R-6-2020-146 passed 6/22/20)

ORDINANCE as follows: **(O-6-2020-012)**

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq. the Township has the power to acquire real property; and

WHEREAS, the Township has entered into an agreement to purchase certain land known as and designated as Tax Block 18, Lot 17 on the Official Tax Map of the Township of Monroe located on Perrineville Road between (the "Property") from Galaxy Land Corporation for the purpose of open space preservation pursuant to a negotiated agreement for a consideration of \$395,000.00; and

WHEREAS, the County of Middlesex has agreed to assist the Township of Monroe with the acquisition of this Property through a Grant Funding Agreement (the "Agreement") and requires as a condition of the grant that a Conservation Restriction be filed and recorded with the Middlesex County Clerk's office restricting the use of the property for Open Space purposes; and

WHEREAS, the Township Council has authorized the Agreement and wishes to satisfy the condition of the Agreement by authorizing the Conservation Restriction limiting the uses of the Property to Open Space purposes.

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

1. Upon the acquisition of the Property known as Block 18, Lot 17 located on Perrineville Road between Federal Road and Union Valley Road (the "Property") a Conservation Restriction is authorized to be executed and filed and recorded with the Middlesex County Clerk's Office limiting the use of the property for the purpose of open space.
2. The Mayor is hereby authorized to execute, and the Township Clerk is authorized to witness the Conservation Restriction subject to the review and approval of the Township Attorney.
3. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to implement the Conservation Restriction and to satisfy the condition of the Grant Funding Agreement for the Property.

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

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

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

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-6-2020-012** was **opened**. All were in favor, none opposed

PUBLIC HEARING:

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked what the land size is to which Administrator Weinberg answered it is 76 acres. Mrs. Arminio then asked if it would be used for recreational use on the wetlands to which Attorney Rainone answered that recreation is part of it and Administrator Weinberg added that most of the plan is for passive recreation. Mrs. Arminio asked how much this will cost; Administrator Weinberg answered that the total cost is \$395,000 and the County will reimburse the Township for the cost. Mrs. Arminio asked if any money was coming out of the Open Space Trust Fund to which Administrator Weinberg answered that this is the actual cost to us and Attorney Rainone added that the \$395,000 is coming out of the Open Space Trust Fund and then will be reimbursed by the County. Mrs. Arminio asked if these were soft costs to which Administrator Weinberg answered that we did an appraisal and those costs have been paid.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Schneider, the **PUBLIC HEARING for Ordinance O-6-2020-012** was **closed**. All were in favor, none opposed.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:
O-6-2020-012 ORDINANCE TO AUTHORIZE A CONSERVATION RESTRICTION AGREEMENT FOR REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 18, LOT 17 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF PERRINEVILLE ROAD FOR OPEN SPACE.
(Galaxy Land Corp.)
(Corresponding Resolution for County Grant No. R-6-2020-146 passed 6/22/20)

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

O-6-2020-013 ORDINANCE TO ACQUIRE, BY NEGOTIATED AGREEMENT, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 36, LOT 32 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF ENGLISHTOWN ROAD FOR OPEN SPACE AND GOVERNMENTAL PURPOSES.
(35 acres - \$300,000)

ORDINANCE as follows: **(O-6-2020-013)**

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq. the Township has the power to acquire real property; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

WHEREAS, the Township desires to purchase certain land known as and designated as Tax Block 36, Lot 32 on the Official Tax Map of the Township of Monroe located on Englishtown Road (the "Property") from the Estate of Salvatore Casale for the purposes of open space and/or other governmental use pursuant to a negotiated agreement for a consideration of \$300,000.00; and

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

1. The voluntary acquisition by negotiated agreement of the Property known as Block 36, Lot 32 located on Englishtown Road (the "Property") from the Estate of Salvatore Casale for the purpose of open space and/or other governmental use in the Township of Monroe for a consideration of \$300,000.00 be and is hereby authorized using Ordinance O-9-2016-032 as a funding source.
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiation.
3. The Mayor and Clerk are hereby authorized to sign and witness, respectively, any contract of ale or other documents necessary to acquire the Property.

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

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

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

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-6-2020-013** was **opened**. All were in favor, none opposed.

PUBLIC HEARING:

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked what is defined as government purposes on 35 acres of land; Administrator Weinberg answered that government purpose is Open Space, recreation or historic. Mrs. Arminio commented that in the past municipal buildings have been built to which Attorney Rainone responded that he does not like to answer hypothetical questions, adding that we have followed all of the restrictions and State statute governs what we can and cannot do. Administrator Weinberg added that the first ordinance was given to us by the County because it is their Open Space Bond Trust money. Mrs. Arminio asked if there was anything on the books now for how the land will be developed to which Administrator Weinberg answered no but it could be used for future recreation or historic.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the **PUBLIC HEARING for Ordinance O-6-2020-013** was **closed**. All were in favor, none opposed.

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

O-6-2020-013 ORDINANCE TO ACQUIRE, BY NEGOTIATED AGREEMENT, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 36, LOT 32 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED OFF ENGLISHTOWN ROAD FOR OPEN SPACE AND GOVERNMENTAL PURPOSES.
(35 acres - \$300,000)

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

Copy of Ordinance Duly Filed.
O-6-2020-013

O-6-2020-014 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “VEHICLES AND TRAFFIC”. (Adding No Stopping or Standing on Docks Corner Rd.)

ORDINANCE as follows: **(O-6-2020-014)**

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

In accordance with the provisions of § 122-08, “Stopping or standing prohibited”.

SECTION 1. Section 122-32, Schedule III entitled “**No Stopping or Standing**” in accordance with the provisions of § 122-08, the following is hereby amended as follows:

ADD:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Docks Corner Rd.	Both Sides	from the intersection of Cranbury South River Road (CR535) for 1,500 feet in the easterly direction

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

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

SECTION 4. This Ordinance shall take effect twenty days after final passage, adoption and publication according to law.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-6-2020-014** was **opened**. All were in favor, none opposed

PUBLIC HEARING:
No Public Comment.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-6-2020-014** was **closed**. All were in favor, none opposed.

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

O-6-2020-014 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “VEHICLES AND TRAFFIC”. (Adding No Stopping or Standing on Docks Corner Rd.)

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-6-2020-014

Councilman Dipierro recused himself and left the room in regard to Ordinance O-8-2020-015.

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

O-8-2020-015 ORDINANCE AMENDING CHAPTER 43 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "FIRE PREVENTION" (this allows the Fire Districts to use online payment services and charge the affiliated fees)

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

Copy of Ordinance Duly Filed.
O-6-2020-015

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

O-8-2020-016 BOND ORDINANCE PROVIDING FOR VARIOUS 2020 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$7,625,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$7,625,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

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

Copy of Ordinance Duly Filed.
O-6-2020-016

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

O-8-2020-017 BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,967,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,825,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

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

Copy of Ordinance Duly Filed.
O-6-2020-017

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro the following Resolutions were moved for Adoption under the **CONSENT AGENDA:** (R-8-2020-167 – R-8-2020-188 with the exception of Resolutions R-8-2020-180, R-8-2020-181, R-8-2020-183, R-8-2020-185 and R-8-2020-187 which will be voted on separately)

R-8-2020-167 RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES. (various refunds for Stratford Developers totaling \$4,329.00)

WHEREAS, the Construction Official, by copy of a letter dated June 25, 2020, copy of which is attached hereto as Exhibit "A", has recommended the Council approve the following construction permit refunds:

Refund to:	Reason	Amount
Stratford Developers 90 Woodbridge Center Dr. Woodbridge, N.J. 07095	Permit # 20190248 Requests refund due to homeowner decided not to buy 20 Liberty Way due to Covid 19.	\$ 4,196.00
Stratford Developers 90 Woodbridge Center Dr. Woodbridge, N.J. 07095	Permit # 20190248 Requests refund due to homeowner decided not to buy 20 Liberty Way due to Covid 19.	\$ 133.00

WHEREAS, Council has reviewed the recommendation of the Construction Official and finds the requests for the above refunds to be reasonable;

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 request is hereby authorized and that a refund be made to **Stratford Developers in the amount of \$4,329.00.**

SO RESOLVED, as aforesaid.

R-8-2020-168 RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF ARNOLD RIBACK TO THE AFFORDABLE HOUSING BOARD. (Alt 2 unexpired 2-year term)

WHEREAS, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, by copy of letter dated July 10, 2020, has appointed the following member to serve on the Affordable Housing Board to fill the unexpired term of Joseph Gurney, commencing immediately and expiring on December 31, 2021:

Arnold Riback – Alternate II – 2 yr. term

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

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Township Council hereby provides its Advice and Consent and confirms the appointment of **Arnold Riback** to serve on the **Affordable Housing Board as Alternate II** to fill the unexpired term of Joseph Gurney, commencing immediately and expiring on December 31, 2021.

SO RESOLVED, as aforesaid.

R-8-2020-169 RESOLUTION AUTHORIZING AWARD OF BID TO JEN ELECTRIC, INC. FOR EMERGENCY TRAFFIC SIGNAL AND BEACON MAINTENANCE AND REPAIRS. (12-month contract; as needed; not to exceed \$40,000)

WHEREAS, on June 10, 2020 one (1) sealed bid was received by Monroe Township for Emergency Traffic Signal and Beacon Maintenance and Repairs; and

WHEREAS, the Township Engineer, by copy of letter dated June 22, 2020, has recommended the contract be awarded to *Jen Electric, Inc. 631 Morris Avenue Springfield, N.J. 07081*, the low responsible bidder, for a period of 12 months, not to exceed **\$40,000.00**; and

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

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000041, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *Jen Electric, Inc.* for Emergency Traffic Signal and Beacon Maintenance and Repairs, for a period of 12 months, at a total contract price not to exceed **\$40,000.00**; and

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

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Jen Electric, 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 *Jen Electric, Inc.* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

R-8-2020-170 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY BLACK ROCK ENTERPRISES, LLC. IN CONNECTION WITH THE PARK AND RIDE IMPROVEMENT PROJECT. (Decrease of \$54,800.08)

WHEREAS, pursuant to Resolution No. R-9-2019-244, adopted by the Monroe Township Council at its meeting held on September 4, 2019, a contract was awarded to Black Rock Enterprises, LLC. in connection with the Applegarth Road Park and Ride Improvements Project; and

WHEREAS, the original total contract amount was \$534,704.00; and

WHEREAS, the Township Engineer, in a letter dated June 22, 2020, requested approval of Change Order No. 1 and Final for the Park and Ride Improvements Project reflecting a decrease of \$54,800.08 in the contract amount, as the result of adjusted contract quantities, as described in the attached change order; and

WHEREAS, the current contract price including this change order is \$479,903.92; 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-1900067**, 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.

SO RESOLVED, as aforesaid.

R-8-2020-171 RESOLUTION AUTHORIZING AN AGREEMENT WITH WB MASON FOR OFFICE SUPPLIES/CUSTODIAL SUPPLIES FOR THE TOWNSHIP OF MONROE UNDER THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM FOR CALENDAR YEAR 2020-2021. (unit pricing)

WHEREAS, the Township of Monroe, County of Middlesex, is a member of the Somerset County Cooperative Pricing System #2SOCCP; and

WHEREAS, wishes to enter into an agreement for Office Supplies/Custodial Supplies for the Township of Monroe, with WB Mason, 300 Prospect Plains Road Cranbury, N.J. 08512, an authorized vendor under the Somerset County Cooperative Pricing System #2SOCCP:

<u>Bid No.</u>	<u>Bid/Contract Title</u>	<u>Pricing Info.</u>
CC-0001-20	Office Supplies/Custodial Supplies	percentage discount (see attached)

; and

WHEREAS, the purchase of goods and services by local contracting units without public bidding is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that the Mayor and Municipal Clerk are hereby authorized to utilize WB Mason for office supplies/custodial supplies for the Township of Monroe, under the Somerset County Cooperative Pricing System.

SO RESOLVED, as aforesaid.

R-8-2020-172 RESOLUTION AUTHORIZING AN ELECTRONIC TAX SALE.

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

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

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

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

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

SO RESOLVED, as aforesaid.

R-8-2020-173 RESOLUTION AUTHORIZING FEES FOR ELECTRONIC TAX SALE NOTICES.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, and State of New Jersey that a fee of \$20.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2020 electronic tax sale.

SO RESOLVED, as aforesaid.

R-8-2020-174 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 One-Thousand Nine-Hundred dollars and no cents (\$1,900.00),

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

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

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

SO RESOLVED, as aforesaid.

R-8-2020-175 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (2020 Clean Communities Grant - \$85,147.33)

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2020 in the sum of \$85,147.33, which is now available as a revenue from the 2020 Clean Communities Grant;

BE IT FURTHER RESOLVED that a like sum of \$85,147.33 is hereby appropriated under the caption:

“2020 CLEAN COMMUNITIES GRANT”

SO RESOLVED, as aforesaid.

R-8-2020-176 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (2020 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund - \$583.48)

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2020 in the sum of \$583.48, which is now available as a revenue from the 2020 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund;

BE IT FURTHER RESOLVED that a like sum of \$583.48 is hereby appropriated under the caption:

“2020 MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND”

SO RESOLVED, as aforesaid.

R-8-2020-177 RESOLUTION AUTHORIZING REFUND OF RAFFLE LICENSE FEE. (Friends of the Senior Center - \$60.00)

WHEREAS, the Friends of the Senior Center, by copy of a letter dated July 17, 2020, copy of which is attached hereto as Exhibit “A”, has requested the following refund:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
Friends of the Senior Center, Inc. c/o Christine Flynn, President 12 Halsey Reed Road Monroe Township, N.J. 08831	Bingo dates cancelled due to COVID-19 - April 24, June 26 and August 19, 2020	\$60.00

WHEREAS, the Township Clerk recommends the Council approve the raffle license fee refund:

WHEREAS, Council agrees with the recommendation and finds the request for the above refund to be reasonable;

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 request is hereby authorized and that a refund be made to **Friends of the Senior Center, Inc. in the amount of \$60.00.**

SO RESOLVED, as aforesaid.

R-8-2020-178 RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1142 MORNING GLORY DRIVE.

WHEREAS, on September 9, 2016, Cristina Cartagena (“Cartagena”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring Cartagena to pay the sum of \$8,400.00 to the Municipality upon the first non-exempt sale of their property having an address of 1020 Morning Glory Drive, (the “Property”) as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on October 18, 2016, in Mortgage Book 16504 on Page 0588 *et seq.* (the “Cartagena Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

WHEREAS, on December 2, 2019, Cartagena sold the Property to Caterina Russo and Valerie Perchiano, (“Russo/Perchiano”); Cartagena executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to Russo/Perchiano for the sum of \$86,317.00, said deed having been recorded with the Middlesex County Clerk on December 20, 2019 in Deed Book 17725, page 1593 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

WHEREAS, on December 19, 2019, Russo/Perchiano gave a recapture mortgage in accordance with the State’s Affordable Housing Program to the Township of Monroe requiring Russo/Perchiano to pay the sum of \$31,683.00 to the Municipality upon the first non-exempt sale of their property having an address of 1020 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on July 17, 2020, in Mortgage Book 17948 on Pages 1441-1447 *et seq.*; a copy of said mortgage is attached as Exhibit “C”; and

WHEREAS, the Cartagena Affordable Housing Lien qualifies for discharge under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the rules of the New Jersey Housing and Mortgage Finance agency set forth in N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, Cartagena sold the Property to Russo/Perchiano, and Russo/Perchiano executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Cartagena Affordable Housing Lien should be discharged; and

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 authorized and directed to execute the Discharge of Mortgage, annexed hereto as Exhibit “D”.

SO RESOLVED, as aforesaid.

R-8-2020-179 RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1020 MORNING GLORY DRIVE.

WHEREAS, on April 23, 2014, Kadeidra Robinson (“Robinson”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring Robinson to pay the sum of \$90,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1142 Morning Glory Drive, (the “Property”) as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on June 13, 2014, in Mortgage Book 6579 on Page 641 *et seq.* (the “Robinson Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

WHEREAS, on November 14, 2019, Robinson sold the Property to Jitendrabhai M. and Ranjanbahren J. Patel, (“Patel’s”); Robinson executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to the Patel’s for the sum of \$185,895.00, said deed having been recorded with the Middlesex County Clerk on January 3, 2020 in Deed Book 17738, page 1385 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

WHEREAS, on November 14, 2019, the Patel's gave a recapture mortgage in accordance with the State's Affordable Housing Program to the Township of Monroe requiring the Patel's to pay the sum of \$18,859.00 to the Municipality upon the first non-exempt sale of their property having an address of 1142 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on January 3, 2020, in Mortgage Book 17738 on Page 1414 *et seq.*; a copy of said mortgage is attached as Exhibit "C"; and

WHEREAS, the Robinson Affordable Housing Lien qualifies for discharge under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the rules of the New Jersey Housing and Mortgage Finance agency set forth in N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, Robinson sold the Property to Patel's, and the Patel's executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Robinson Affordable Housing Lien should be discharged; and

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 authorized and directed to execute the Discharge of Mortgage, annexed hereto as Exhibit "D".

SO RESOLVED, as aforesaid.

R-8-2020-182 RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT NO. 479 "ION EXCHANGE SYSTEM REPAIR AND MAINTENANCE" WITH LAYNE EXTENDING THE TERMINATION DATE TO MAY 7, 2021 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
(contract extension- expiring 5/7/2021 – unit pricing)

WHEREAS, the Monroe Township Utility Department ("M.T.U.D.") is currently under contract with LAYNE for ION EXCHANGE SYSTEM REPAIR MAINTENANCE; and

WHEREAS, the section of the current contract detailed specifications, Section 13. "Contract Terms and Extension" allows for the extension of this contract at the request of the Monroe Township Utility Department; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the Water Superintendent, feels it is in the best interest of the Monroe Township Utility Department to extend the current contract for the additional/final (1) one-year term, and has notified Layne, Inc. of the M.T.U.D.'s intention to extend said contract via a letter dated June 8, 2020; and

WHEREAS, Layne has indicated their acknowledgment and agreement to the extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.'s Township Chief Financial Officer has certified availability of funds in Certificate No. M-180022 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 it hereby authorizes and approves the M.T.U.D. extending its open-ended contract for the supply of Ion Exchange Repair and Maintenance, based on the unit pricing and estimated quantities, for the year (3) three final extension term. The new expiration date shall be May 7, 2021. The terms and conditions of the agreement shall remain unchanged, and the pricing shall be as per the bid submitted.

SO RESOLVED, as aforesaid.

R-8-2020-184 RESOLUTION AUTHORIZING AWARD OF BID TO MECO, INC. FOR 2020 ROADWAY IMPROVEMENT PROJECT. (\$1,217,045.38)

WHEREAS, on July 23, 2020 thirteen (13) sealed bids were received by Monroe Township regarding **2020 Roadway Improvements**; and

WHEREAS, the Township Engineer, by copy of letter dated July 24, 2020, has recommended *Meco, Inc. P.O. Box 536, Clarksburg, N.J. 08510*, be awarded the base bid and alternates 1, 2 and 3 bid based upon their bid submission in the amount of **\$1,217,045.38**; and

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

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000043, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *Meco, Inc.* for the **2020 Roadway Improvements**, at a total contract price of **\$1,217,045.38**; and

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

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Meco, 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 *Meco, Inc.* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

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

R-8-2020-186 RESOLUTION AUTHORIZING AWARD OF BID TO PABCO INDUSTRIES FOR GRASS BAGS. (Qty: 288,000 @ \$.042 = \$120,960)

WHEREAS, on July 29, 2020 one (1) sealed bid was received by Monroe Township regarding the purchase of Grass Bags for the Department of Public Works; and

WHEREAS, the Monroe Township Business Administrator recommends, by copy of letter dated July 29, 2020, a copy of which is attached hereto, that the Grass Bag contract be awarded to **Pabco Industries, LLC**, 166 Frelinghuysen Avenue, Newark, NJ, at the unit pricing of \$.042 per bag, as provided by the bidder, and as shown on the attached schedule of rates; and

WHEREAS, the Township Council has reviewed the recommendation made by the Business Administrator regarding said bid and finds same to be reasonable; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No C-2000045, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the Department of Public Works Grass Bags, at the unit pricing provided by the bidder, said contract to commence immediately and expiring August 31, 2021 with the provision authorizing the Business Administrator to extend for a period of one additional year with the consent of the bidder; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Pabco Industries, LLC**, at a cost not to exceed \$.042 per unit; and

BE IT FURTHER RESOLVED that the Certified Municipal Finance Officer is hereby authorized and directed to pay **Pabco Industries, LLC**, in accordance with the contract entered into between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Pabco Industries** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting either a letter of federal approval or a certificate of employee information report, or a completed form AA302 at the time the signed contracts are returned to the Township of Monroe, or seven (7) days thereafter, or risk being declared non-responsive and forfeiting the award.

R-8-2020-188 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY K. HOVNIANIAN AT MONROE NJ II, LLC, FOR THE NORTH VILLAGE OF THE FOUR SEASONS AT MONROE DEVELOPMENT.

WHEREAS, on June 23, 2011, memorialized on July 28, 2011, K. Hovnianian at Monroe NJ II, LLC (“K. Hovnianian”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1089-10 for the North Village of the Four Seasons at Monroe development (“Subject Project”); and

WHEREAS, on October 31, 2018, Lexon Insurance Company (“Lexon” or “Surety”), issued a Rider on Performance Bond No. 1085976 (“Performance Bond”), in the amount of \$2,639,918.49 to assure completion of construction on the Subject Project; and

WHEREAS, on June 29, 2020, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that K. Hovnianian correct said deficiencies within 30 days; and

WHEREAS, as of July 29, 2020, the thirty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

WHEREAS, K. Hovnianian has not diligently worked to complete the necessary work in a timely fashion; and

WHEREAS, the Performance Bond requires a municipal declaration of default with notice to K. Hovnianian and Surety; and

WHEREAS, the law firm of Rainone Coughlin Minchello, LLC is prepared to issue a formal notification to K. Hovnianian and Surety on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Township hereby declares K. Hovnianian in default of its obligation to complete construction at the Subject Project, and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized to take all action necessary and proper to obtain payment of the Performance Bond amount from Lexon Insurance Company as to the Subject Project due to the failure of K. Hovnianian to complete the required construction, and that said Surety funds shall be used to pay for the cost of completing the construction, including professional engineering and attorney fees incurred by the Township relating thereto.

SO RESOLVED, as aforesaid.

Council Vice-President Schneider asked if the Township only receives 1 bid if we were obligated to have to award to that bidder; Administrator Weinberg answered yes but there is a list of exemptions.

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

Copy of Resolutions Duly Filed.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Schneider, the following Resolutions were moved for Adoption and considered separately:

R-8-2020-180 RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH POWER SAWS OF AMERICA INC. T/A RKD TREE SERVICE FOR MONROE TOWNSHIP TREE REMOVAL AND PRUNING. (Extending to 11/30/20)

WHEREAS, on May 7, 2018 per Resolution No. R-5-2018-147, **Power Saws of America Inc. t/a RKD Tree Service** was awarded the Tree Removal and Pruning Services contract; and

WHEREAS, the current contract renewal expired on May 7, 2020 and the Township has an option to extend for one additional one-year period; and

WHEREAS, the Township Qualified Purchasing Agent, in correspondence dated July 15, 2020, attached hereto, inquired as to the willingness of Power Saws of America Inc. to extend their current contract for 6 months, expiring November 30, 2020; and

WHEREAS, the attached letter dated June 28, 2020 and email dated July 15, 2020 indicates the willingness of **Power Saws of America** to extend the current contract from May 8, 2020 thru November 30, 2020, under the same terms, conditions and pricing contained within their original bid specification and contract; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certificate No C-1800032, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the contract for Monroe Township Tree Removal and Pruning is being extended six (6) months to November 30, 2020 in accordance with N.J.S.A. 40A:11-15 of the Local Public Contracts Law;

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 six-month extension of contract with Power Saws of America, Inc. under the same terms, conditions and pricing within their original bid specification submitted for Tree Removal and Pruning; and

BE IT FURTHER RESOLVED that the Finance Department is hereby authorized and directed to pay Invoices for the above referenced vendor in accordance with the original terms, conditions and pricing contained within their original 2018 contract entered into between the parties;

SO RESOLVED, as aforesaid.

R-8-2020-181 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND TOWNSHIP OF EAST BRUNSWICK FOR COMMUNICATION SERVICES. (1-year agreement - \$25,000)

WHEREAS, the Township of Monroe, hereinafter "Monroe", has requested to enter into a Shared Services Agreement with the Township of East Brunswick, hereinafter "East Brunswick" located at 1 Jean Walling Civic Center Drive, East Brunswick, N.J. 08816 for communication services; and

WHEREAS, Monroe is proactive in addressing issues that are in the best interest to protect the public safety and welfare of the community; and

WHEREAS, Monroe is in need of an upgraded communication system and East Brunswick has agreed to the connection by Monroe to East Brunswick's ASTRO 25 IP Digital Trunked Simulcast Core System for communication services; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, Monroe is in receipt of a Shared Services Agreement between the Township of Monroe and the Township of East Brunswick in which the parties mutually agree to the provisions set forth within the Shared Services Agreement at a cost not to exceed \$25,000.00; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000042, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, it is in the best interests of the Township of Monroe to execute said Shared Services Agreement, which shall be for a one-year period commencing August 3, 2020;

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 Mayor and Township Clerk be and are hereby authorized and directed to execute the attached Shared Services Agreement and forward same to the Township of East Brunswick.

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay the Township of East Brunswick, in accordance with the shared service agreement entered into between the parties.

SO RESOLVED, as aforesaid.

**R-8-2020-183 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE
POSTED FOR CLEARVIEW ESTATES - PB-1029-06.
(Mounts Mills Road)**

WHEREAS, the developer has posted a cash maintenance guarantee in the amount of \$78,729.01 for Clearview Estates, Block 35, Lots 27 & 28 - PB-1029-06; and

WHEREAS, on March 8, 2019 by Resolution No. R-3-2019-074, by recommendation of the Township Engineer, the maintenance guarantee was reduced to \$38,504.40 because infiltration basin issues still existed; and

WHEREAS, on March 2, 2020 by Resolution No. R-3-2020-107, by recommendation of the Township Engineer, the maintenance guarantee was further reduced to \$7,320.00 until the basin modifications were satisfactorily completed and the basin was functioning as required; and

WHEREAS, said work has been completed and the developer has requested the release of the balance of the cash Maintenance Guarantee; and

WHEREAS, as defined in N.J.S.A. 40:55D-53 et seq., the Township Engineer has inspected the detention basin improvements in the field and found that the improvements have been satisfactorily completed and has recommended the Monroe Township Council to approve the request for release of the cash maintenance guarantee, as detailed in a letter dated July 21, 2020, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Monroe Township Council has reviewed and hereby approves the recommendation of the Township Engineer to release the balance of the cash maintenance guarantee in the amount of **\$7,320.00**;

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 cash maintenance guarantee posted for Clearview Estates, Block 35, Lots 27 & 28 - PB-1029-06, be released as reflected above and within the letter annexed hereto.

BE IT FURTHER RESOLVED that this approval for release of cash maintenance guarantee is conditioned upon the resolution of any outstanding balances attached to the project escrow accounts and payment of any outstanding Township fees.

BE IT FURTHER RESOLVED that the Monroe Township Finance Department is hereby authorized and directed to release said cash Maintenance Guarantee in the amount of **\$7,320.00** and any escrow accounts related to this project.

SO RESOLVED, as aforesaid.

**R-8-2020-185 RESOLUTION AUTHORIZING AWARD OF BID TO DOT DESIGNING
INC. FOR SHIRTS AND HATS. (Per Unit Pricing)**

WHEREAS, on July 29, 2020 two (2) sealed bids were received by Monroe Township regarding the Shirts and Hats bid; and

WHEREAS, the Monroe Township Business Administrator recommends in his letter dated July 29, 2020, a copy of which is attached hereto, that the contract be awarded to **DOT Designing LLC.**, 242 Possum Hollow Road, Monroe Twp., NJ 08831 at the unit pricing provided by the bidder and as shown on the attached schedule of rates; and

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

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000044, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Utility Finance Manager has certified the availability of funds in Certificate No. M-200011, a copy of which is attached hereto as Exhibit "B"; 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, State of New Jersey that it has rendered its advice and hereby consents to the award of a 1 year contract to DOT Designing, LLC, for Monroe Township Shirts and Hats at the unit pricing provided by the bidder, said contract to expire on July 31, 2021, with the provision authorizing the Business Administrator to extend for two additional one year periods with the consent of the bidder; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **DOT Designing LLC.**; and

BE IT FURTHER RESOLVED that the Certified Municipal Finance Officer is hereby authorized and directed to pay **DOT Designing LLC.** in accordance with the contract entered into between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **DOT Designing LLC** 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.

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

Copy of Resolutions Duly Filed.

Councilman Dipierro stated that this was a long ongoing project and asked that our professionals keep us in the loop as to what the progress and status is; Councilman Baskin concurred.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the following Resolution was moved for Adoption and considered separately:

R-8-2020-187 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BONDS POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC, FOR PHASE 2, SECTION 8B; PHASE 2, SECTION 9; PHASE 2, SECTION 10; PHASE 2, SECTION 10 PARTIAL STORM; AND PHASE 2, PERIMETER ONLY OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

WHEREAS, on April 28, 2011, memorialized on May 26, 2011, Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1094-10 for Phase 2, Section 8B of the Greenbriar at Stonebridge development (“Subject Project”); and

WHEREAS, on December 12, 2012, The Continental Insurance Company (“Continental”), issued a Rider on Performance Bond No. 92953952 (effective 10/18/11 Performance Bond No. changed to 929539752) (“Section 8B Performance Bond”), in the amount of \$483,262.52 to assure completion of construction on the Subject Project; and

WHEREAS, on February 23, 2012, memorialized on March 22, 2012, Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1108-11 for Phase 2, Section 9 and Phase 2 Section 10 Partial Storm of the Subject Project; and

WHEREAS, on April 21, 2014, Liberty Mutual Insurance Company (“Liberty Mutual”), issued a Rider on Performance Bond No. 024022996 (“Section 9 Performance Bond”) in the amount of \$608,831.93, to assure completion of construction on the Subject Project; and

WHEREAS, on November 21, 2014, Liberty Mutual, issued a Rider on Performance Bond No. 024022995 (“Partial Storm Performance Bond”), in the amount of \$201,861.27, respectively, to assure completion of construction on the Subject Project; and

WHEREAS, on February 28, 2013, memorialized on April 3, 2013, Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1125-12 for Phase 2, Section 10 of the Subject Project; and

WHEREAS, on November 21, 2014, Continental issued a Rider on Performance Bond No. 929582946 (“Phase 2, Section 10 Performance Bond”), in the amount of \$555,711.89 to assure completion of construction on the Subject Project; and

WHEREAS, on February 23, 2012, memorialized on March 22, 2012, Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #945-05 (Final PB-1108-11) for Phase 2, Perimeter Only of the Subject Project; and

WHEREAS, on March 21, 2011, Continental, issued a Rider on Performance Bond No. 929501250 (“Perimeter Only Performance Bond”), in the amount of \$486,998.36 to assure completion of construction on the Subject Project; and

WHEREAS, the Section 8B Performance Bond, the Section 9 Performance Bond; the Partial Storm Performance Bond, the Section 10 Performance Bond, and the Perimeter Only Performance Bond shall be collectively referred to as the “Performance Bonds”; and

WHEREAS, on June 29, 2020, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Lori Gardens correct said deficiencies within 30 days; and

WHEREAS, as of July 29, 2020, the thirty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

WHEREAS, Lori Gardens has not diligently worked to complete the necessary work in a timely fashion; and

WHEREAS, the Performance Bonds require a municipal declaration of default with notice to Lori Gardens, Continental, and Liberty Mutual; and

WHEREAS, the law firm of Rainone Coughlin Minchello, LLC is prepared to issue a formal notification to Lori Gardens and Continental Insurance Company and Liberty Mutual Insurance Company (collectively “Sureties”) on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Township hereby declares Lori Gardens in default of its obligation to complete construction at the Subject Project, and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized to take all action necessary and proper to obtain payment of the Performance Bonds amounts from both Continental Insurance Company and Liberty Mutual Insurance Company as to the Subject Project due to the failure of Lori Gardens to complete the required construction, and that said Sureties’ funds shall be used to pay for the cost of completing the construction, including professional engineering and attorney fees incurred by the Township relating thereto.

SO RESOLVED, as aforesaid.

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

Copy of Resolutions Duly Filed.

REPORTS:

Mayor’s Report – Mayor Tamburro reported that there were 3 new cases in the last 4 days and stated that we cannot become complacent. This virus is affecting our young and we all must wear masks when out in public.

He urged those who are choosing to travel to please follow the 14-day quarantine recommendation.

Reported that the Library has opened for grab and go services. Also noted that the DPW yard is open. Stated that the Recreation Center is offering drive in movies and yoga and working on more events at no cost to the residents. Added that transportation services are back to being offered for medical appointments and grocery shopping and for those who may be interested you can call the Senior Center for more information.

Lastly, Mayor Tamburro reminded everyone that this virus is still dangerous to everyone.

Administrator's Report – Administrator Weinberg thanked the Mayor, Council, residents and employees as this has been a unique 5 months and has not been an easy challenge to deal with. He added that he has found everyone to be compliant. Also factoring in dealing with the extreme heat, he gave a shout out to everyone on the front lines as this has been a collective team effort. Administrator Weinberg reiterated a few of the Mayor's mentions during his report.

Regarding the resolutions on tonight's agenda for Open Space, the Township has protected 111 acres together which is great.

Highlighted that the Township has received an \$85,000 Clean Communities grant which we are very proud of.

Administrator Weinberg noted that he is very pleased with the paving bid for \$1.4 million as the Township received 13 bids from very hungry contractors for that project which is a great sign that businesses are ready to get to work.

Lastly, Administrator Weinberg reported that Tropical Storm Isaias is expected to hit tomorrow and reminded everyone to secure their properties. He noted that our DPW is ready and prepared.

Engineer's Report – Engineer Rasimowicz reported that the traffic signal project at the intersection of Matchaponix and Pergola Avenue is underway with the hope for it to be completed within the next few months.

Reported that the County is paving Cranbury South River Road which will continue through the end of this week.

Lastly noted that Council awarded the 2020 Road Paving Project to the lowest bidder, which was Meco, Inc. with the cost being \$1.2 million; he added that 13 roads are included in this project.

COUNCIL REPORTS:

Council Vice-President Schneider –

- Reported that a resident of Rossmoor turned 100 years old and he is also a veteran. She called him to express our gratitude for serving our country.
- Attended 2 Eagle Scout ceremonies on July 12th; was a little hesitant in attending but everyone practiced wonderful social distancing which she noted made her very comfortable in attending.
- Asked where our signs for Open Space & Farmland Preservation were; mentioned that in visiting other counties there are large, notable signs everywhere and would like to know when we can expect them.

Councilman Dipierro –

- Concurred with Council Vice-President Schneider's comments regarding the signage for Open Space & Farmland Preservation.
- Has received a lot of complaints of people smoking on Township properties and suggested that designated areas and signage should be placed on the Township's properties for smoking.
- Attended an Eagle Scout ceremony on July 26th and Eagle Scout project from Troop 54; building bat houses and will be placing some on Applegarth Road. The teamwork that the parents did with their children was wonderful.
- Congratulated Kyle who is a graduate of Monroe Township High School as he worked with Nasa in coordinating a launch for his Eagle Scout project.
- Thanked all the Township employees for working through Covid-19. He noted he is very proud of our Mayor and OEM for their communication throughout this pandemic, as well as, all the residents.
- Brought a concern up to our Township Engineer with the workers completing the traffic signal project at the intersection of Matchaponix and Spotswood Gravel Hill Road as there are professionals not wearing safety vests and they need to follow their contract and put safety first.
- Asked if there are any policies or ordinances in place if there is an employee or agency where we collect taxes for and something goes wrong such as criminal complaint, criminal charges or ethics violations filed; Attorney Rainone answered no we do not have any policy in place as the collection of taxes is completely separate. Councilman Dipierro clarified his question to ask if an employee is using a Township building for their own personal business use or a Township vehicle for their

own personal use what would the repercussions be, to which Attorney Rainone answered, then that person would be disciplined and the matter handled accordingly per Township policy.

Councilman Dalina –

- Commented that he is still seeing a lot of residents use plastic bags for recycling; asked that the policy for recycling be reinforced to our residents as it is detrimental to the bigger picture of what we are trying to do.
- Out riding his bike and saw a lot of people participating in the yoga program and out and about in the parks which was very nice to see.
- Pleased that the Library has opened and patrons coming in to utilize their services. He noted it is nice to see a little bit of normalcy coming back.
- Participated in a Zoom meeting with the Young Adult Club at the Library. It was very enlightening and a wonderful interaction with the young adults talking about his career at Rutgers, as well as, his career as Councilman.

Councilman Baskin –

- Commented on the progress of Covid19 and the importance of social distancing and wearing masks. He noted that he was informed by Shannon Cenci that putting a coffee filter in the mask can also help in fighting against the virus.
- Stated that the Township employees have done an outstanding job in working through this pandemic. He noted that he is very happy to see that some programs are being offered to the residents, such as, the drive-in movies which he remembers from years ago.
- Reported that he has received an email from the Historic Preservation Commission that the Old Time Baseball Game which is held in September has been cancelled.
- Lastly, he stated that he is excited to attend the Shade Tree Commission's meeting being held via Zoom tomorrow evening.

Council President Cohen –

- Noted that the data supporting the use of filters in masks is very preliminary.
- Stated that she is proud to work with an extraordinary group of people and thanked everyone for their diligence and hard work during this time. She added that the Township continues to be a wonderful place to work and live and hopes that treatment will become available soon.

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the **PUBLIC COMMENTS** portion of the Meeting was **opened**. All were in favor, none opposed.

PUBLIC COMMENTS:

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked for clarification on the appropriations noted in Ordinance O-8-2020-016; Township Attorney Rainone explained that in order for a capital project to be done the money has to be appropriated for it. He explained that a bond ordinance authorizes the Township to spend the money. Mrs. Arminio asked why we were appropriating it from the water and sewer budget to which Administrator Weinberg answered that the Utility Department is a self-liquidating entity and by spending money in the capital budget the money will get paid back through the operating budget in debt service. Township Attorney Rainone stated that because the Utility Department is a self-liquidating entity the fees that are taken in are used to pay the capital expenditures out of that utility fund.

Mrs. Arminio asked where Ordinance O-8-2020-017 is being paid from; Administrator Weinberg answered that it is paid through the current fund as we are lucky that the debt service is low for our Township remarkably with it being the size that it is. Mrs. Arminio stated that in going through these unknown times with the pandemic ongoing has there been any consideration given to slowing down some of these expenses. She added that she understands the necessity of the infrastructure being worked on but asked if there were any plans to slow down or stall some of the projects until the economy bounces back. Township Attorney Rainone stated that there are public health concerns being addressed in both ordinances with water/sewer concerns being an ongoing issue without a pandemic happening. He added that there are public safety purchases including radios and ambulances that are all necessities and highlighted through this public health emergency that are a part of these ordinances too. Administrator Weinberg added that we generally spend \$3-4 million on Township's end with the utility side being a bit higher but there is also a component where some will go to connection fees and off-track improvements which is a bigger conversation.

Prakash Parab, 33 Dayna Dr. – Mr. Parab reminded everyone that the Coronavirus can enter through the nasal cavities and eyes and a mask will not protect you 100%. He recommended that those who wear eyeglasses to wear them or use a face shield if possible.

Mr. Parab stated that he was very happy about the Open Space and concurred that we should have signage to highlight our accomplishments of supporting the environment.

Noted that he is happy to hear that the employees of the Township have ethics policies to follow and hopes that the ethics policies are being followed through by other entities within the Township, such as the Board of Education. No one is above the law.

Encouraged all to lobby for New Jersey's fair share of State funding since we are still not receiving our fair share. Mr. Parab implored that we need the support for education, police and the overall health and welfare of our Township.

Lastly, Mr. Parab asked how much aid we receive from the State and if there are any plans to raise taxes and manage; Administrator Weinberg answered that all signals point to the State doing energy and gross receipt tax and we have received approximately 45% of that money today equaling a total of \$945,000 received and \$1.1 million being a part of the State's budget. Administrator Weinberg stated that we are on a good path right now and will have to wait and see.

Matthew Wind, 18 Texas Rd. – Mr. Wind stated that he had sent an email to members of the Council approximately a month ago regarding his concern with speeding on Texas Road particularly between Spotswood Englishtown Road and Matchaponix Avenue. He explained that there are many young families who live in that area and many cars that are going beyond the 40mph limit which is very concerning, making all who live there feel very unsafe. Chief Biennas stated that he did receive Mr. Wind's complaint and did assign to his traffic officers for them to run a traffic study. He added that there are a couple of phases involved in this process and apologized if they have not reached out yet as they are both out of the office due to their wives giving birth. He added that the first part of the study has been completed and the results will be sent to the Township Engineer for his input.

Chrissy Skurbe, 21 Preakness Dr. – Mrs. Skurbe thanked the OEM for their communication and transparency during this pandemic.

Mrs. Skurbe commented that ethics is very important for our Township and noted that it is imperative that those codes are followed by both the municipality and school board as 85% of our tax dollars is handed over to them. She added that it is very important for Council to take any ethic code violation seriously as the residents need to know that the people in charge of overseeing their money do follow the code and are held accountable when they do not. Administrator Weinberg corrected Mrs. Skurbe that the Board of Education collects 55% of our taxes not 85%.

Joe Atanasio, 21 Wellington Pl. – Mr. Atanasio stated that he is a resident of Greenbriar and in order for the residents there to participate in some of the activities being offered they must sign a waiver and asked if the Township is requiring the residents who are participating in any activities being offered to sign a waiver as well; Administrator Weinberg answered that if we were guided to do so then we would but we are trying to offer activities that are incredibly safe. Township Attorney Rainone stated that we have not required anyone to sign a waiver but that can be modified going forward. He also noted that Greenbriar is a private entity which operates by their own bylaws.

Lastly, Mr. Atanasio asked if the Township will be holding their September 11th ceremony; Administrator Weinberg stated that the Township is still figuring out the safest way to recognize that day and will have more information in the coming weeks.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Schneider, the **PUBLIC COMMENTS** portion of the Meeting was **closed**. All were in favor, none opposed

Councilman Dipierro asked if the Chief would provide a copy of the traffic study on Texas Road and asked if the safety trailer could go out there; Chief Biennas responded that the speed trailer would be detrimental in trying to get a true speed so he recommends holding off until a decision comes as to whether we are going to change the speed or not.

Councilman Dipierro also asked how we go about getting the signage for Open Space to which Administrator Weinberg answered that we will work on that as there are different signs, such as Green Acres, Open Space and Farmland Preservation. He added that we can work with the farmers for the Farmland Preservation signage but that is a process with the State. He noted the easiest signs to obtain would be the Open Space which we would purchase on our own and the Green Acres signs

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 7:58pm.

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

Patricia Reid

PATRICIA REID, Township Clerk

Miriam Cohen

MIRIAM COHEN, Council President

Minutes were adopted on: September 2, 2020.