

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**

**DECEMBER 10, 2019**

(December 2, 2019 rescheduled meeting due to inclement weather)

**AGENDA**

1. Agenda Meeting Called 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 December 2, 2019 and remains posted at that location for public inspection;
2. Noticed to the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on December 2, 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. **MOTION** to approve the payment of **CLAIMS** per run date **11/25/2019**.

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

6. **APPROVAL OF MINUTES:**

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

- **November 6, 2019 Combined Regular and Agenda Meeting**

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

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

**O-11-2019-027                   ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "PERSONNEL POLICIES AND PROCEDURES" (Bi-weekly paydays effective 1/1/2020)**

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**O-11-2019-028                   ORDINANCE ACCEPTING A DEED AND A CONSERVATION EASEMENT FROM MARGOS MARK SHAHINIAN AND BONNIE L. GRANITSKI AT 265 MOUNT'S MILLS ROAD, BLOCK 53, LOT 28.10.**

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

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

**O-12-2019-029                   ORDINANCE ACCEPTING A DEED FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR BLOCK 3, LOT 1.05 FOR FUTURE ROADWAY IMPROVEMENTS.**

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**O-12-2019-030                   SUPERVISORY PERSONNEL 2020 SALARY AND WAGE ORDINANCE FOR MONROE TOWNSHIP, MIDDLESEX COUNTY.**

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

9. **RESOLUTIONS for CONSIDERATION under CONSENT AGENDA:** (R-12-2019-286 through R-12-2019-326 with the exception of R-12-2019-317 which will be voted on separately)

**R-12-2019-286                   RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH MONROE TOWNSHIP FIRE DISTRICT NO. 3 FOR THE PROVISION OF ROCK SALT.**

**R-12-2019-287                   RESOLUTION CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT.**

**R-12-2019-288                   RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2020 RECYCLING ENHANCEMENT GRANT APPLICATION TO THE MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT.**

**R-12-2019-289                   RESOLUTION AUTHORIZING EXPENDITURE OF THE TREE ESCROW FUND. (\$2000)**

- R-12-2019-290** RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. TO HANDLE THE MATTER OF CARRINGTON MORTGAGE SERVICES LLC. v. EDDUIL A. CAMACHO, ET. AL., AS EXTRAORDINARY LITIGATION. (\$3000)
- R-12-2019-291** RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. TO HANDLE THE MATTER OF CT07 SPII LLC AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (\$15,000)
- R-12-2019-292** RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. LOVE'S TREE REMOVAL, INC. ET. AT. AS EXTRAORDINARY LITIGATION. (\$10,000)
- R-12-2019-293** RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTH DEVELOPMENT, INC. (Q.E.D.). (\$41,496)
- R-12-2019-294** RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 10 PB-1151-14.
- R-12-2019-295** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY ROAD SAFETY SYSTEMS IN CONNECTION WITH THE TOWNSHIP WIDE GUIDERAIL REPLACEMENT PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-12-2019-296** RESOLUTION AUTHORIZING AWARD OF BID TO STOUT'S CHARTER SERVICE, INC. FOR MONROE TOWNSHIP CHARTER BUS SERVICE. (per unit pricing)
- R-12-2019-297** RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER OF BLACKROCK ENTERPRISES, LLC. AND STANLEY OLBRYNS, AS EXECUTOR OF THE ESTATE OF ELEANOR OLBRYNS v. THE TOWNSHIP OF MONROE. (\$5000)
- R-12-2019-298** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING OF A MAINTENANCE GUARANTEE FOR COSTCO WHOLESALE CORPORATION – PB-1159-14.
- R-12-2019-299** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY COMMERCIAL CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE PROSPECT PLAINS SOCCER COMPLEX CONCESSION AND RESTROOM CONSTRUCTION PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-12-2019-300** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 1 ROADWAY IMPROVEMENTS PROJECT.  
(no change in contract amount only adjusted quantities)
- R-12-2019-301** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 1 ROADWAY IMPROVEMENTS PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-12-2019-302** RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 2 ROADWAY IMPROVEMENTS PROJECT.  
(Decrease of \$46,021.58)
- R-12-2019-303** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 2 ROADWAY IMPROVEMENTS PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.

- R-12-2019-304** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO INSURANCE RESTORATION SPECIALISTS, INC. FOR NECESSARY IMPROVEMENTS TO THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$72,053.43)
- R-12-2019-305** RESOLUTION AUTHORIZING AWARD OF CONTRACTS TO U.S. TECH INCORPORATED AND PRECISION TECH FOR THE PURCHASE AND INSTALLATION OF A UPS BATTERY SYSTEM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$24,723)
- R-12-2019-306** RESOLUTION AUTHORIZING REFUND OF THIRD-PARTY TAX LIEN PREMIUM PAYMENTS.
- R-12-2019-307** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY EAGLE CONSTRUCTION SERVICES INC. IN CONNECTION WITH THE DANIEL P. RYAN MEMORIAL FIELD ADA RESTROOM, CONCESSION STAND AND PUMP STATION PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- R-12-2019-308** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR SECTION A, C, D/L AND F OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (A-\$5,577.72, C- \$15,325.86, D/L- \$5,028.99, F- \$8,604.87)
- R-12-2019-309** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO BRENT MATERIAL CO. FOR SECTION B OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") (B- \$18,875)
- R-12-2019-310** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CORE AND MAIN, LP FOR SECTIONS D, E AND J OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (D- \$4,408.00, E- \$2,439.38, J- \$41,470)
- R-12-2019-311** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO KENNEDY CULVERT & SUPPLY CO. FOR SECTIONS G, K AND M OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (G- \$24,145.91, K- \$32,206.37, M- \$23,538.80)
- R-12-2019-312** RESOLUTION AUTHORIZING AWARD OF CONTRACT TO RARITAN GROUP, INC. FOR SECTIONS H AND I OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (H- \$113,856.84, I- \$53,958.87)
- R-12-2019-313** RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) CARGO VAN USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (\$20,911)
- R-12-2019-314** RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 684.10, REGENCY @ MONROE, PHASE 10, PB-1151-14 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).
- R-12-2019-315** RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1108FM, MONROE PARKE FORCE MAIN, PB-1141-13 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).
- R-12-2019-316** RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE FOR W&S 1157, GARIBALDI AVENUE, PB-1175-15 POSTED THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).
- R-12-2019-318** RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE FOR W&S 684.7, REGENCY @ MONROE PUMP STATION, TOLL BROTHERS, INC. POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).

- R-12-2019-319** RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, DEPARTMENT OF SENIOR SERVICES AND THE TOWNSHIP OF MONROE, OFFICE ON AGING FOR OUTREACH SERVICES.
- R-12-2019-320** RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH GREENLEAF LANDSCAPE SYSTEMS AND SERVICES, INC. FOR MONROE TOWNSHIP LANDSCAPING SERVICES.
- R-12-2019-321** RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH JAFFE COMMUNICATIONS FOR THE MONROE TOWNSHIP PUBLICATION.
- R-12-2019-322** 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). (Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant - \$5500)
- R-12-2019-323** RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER AGREEMENT BY AND BETWEEN PPF INDUSTRIAL ONE ABLE DRIVE, LLC AND THE TOWNSHIP OF MONROE FOR SEWER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)
- R-12-2019-324** RESOLUTION IDENTIFYING THE MONROE TOWNSHIP RECREATIONAL ENTITIES TO BE LISTED AS ADDITIONAL INSURED UNDER THE GARDEN STATE JOINT INSURANCE FUND.
- R-12-2019-325** RESOLUTION APPROVING TAX SETTLEMENT WITH FORSGATE GOLF/RDC FORSGATE.
- R-12-2019-326** RESOLUTION AUTHORIZING BUDGET TRANSFERS.

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

10. **RESOLUTIONS removed from consent agenda for CONSIDERATION**

- R-12-2019-317** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 1182, 264 FERNHEAD AVE., BLOCK 178, LOTS 29-32 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

11. Mayor’s Report.
12. Administrator’s Report.
13. Engineer’s Report.
14. Council’s Reports.
15. Public. (5 Minutes per Speaker)
16. Adjournment. Time: \_\_\_\_\_

MOTION: \_\_\_\_\_

SECOND: \_\_\_\_\_

ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING – DECEMBER 10, 2019**

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

Council President Dalina asked if everyone would remain standing for a moment of silence for the tragedy in Jersey City where 6 people were killed and among them was a Jersey City Detective.

**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 thirty (30) 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 President.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Baskin, the **CLAIMS** per run date of **11/25/2019** were approved for payment as 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 Councilwoman Cohen and seconded by Council Vice-President Schneider, the **MINUTES** of the **November 6, 2019 Combined Agenda and Regular 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	Aye

**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-11-2019-027 ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “PERSONNEL POLICIES AND PROCEDURES”**  
(Bi-weekly paydays effective 1/1/2020)

**ORDINANCE** as follows: (O-11-2019-027)

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

**Section 1.** Chapter 78 - of the Code of the Township of Monroe, which chapter establishes personnel policies and procedures within the Township of Monroe shall be amended as follows: (new text in **red** and **underlined**, text to be deleted is **struck**)

**§ 78-45. Paydays.**

Employees are paid weekly on Fridays. Each paycheck includes earnings for all work performed by the employee through the end of the previous payroll period, as certified by the employee's supervisor to the Finance Department.

It shall be mandatory all employees' checks will be deposited directly into their bank account. The Finance Department computes all deductions and adjustments for all checks. Questions concerning deductions and net pay should be directed to the Finance Department. In the event that there are any verified discrepancies in an employee's pay, they will be corrected and adjusted in the next pay period after verification.

Effective January 1, 2020 all employees will be paid on a ~~semi-monthly~~ **bi-weekly** basis, which is ~~24~~ **26** pay periods per year. ~~Paydays will be on the 15th and 30th of every month, if that happens to be a holiday or weekend the payday will be the previous workday.~~ **Paydays will be every two weeks on a Friday.**

Special items such as a clothing allowance, if applicable, may be included in an employee's regular paycheck, in the township's discretion or as set forth in a collective bargaining agreement.

**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.

**PUBLIC:** None

**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-11-2019-027 ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "PERSONNEL POLICIES AND PROCEDURES"**

(Bi-weekly paydays effective 1/1/2020)

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-11-2019-027

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Baskin, an Ordinance of which the following is the title was moved on second reading for final passage:

**O-11-2019-028 ORDINANCE ACCEPTING A DEED AND A CONSERVATION EASEMENT FROM MARGOS MARK SHAHINIAN AND BONNIE L. GRANITSKI AT 265 MOUNT'S MILLS ROAD, BLOCK 53, LOT 28.10.**

**ORDINANCE** as follows: (O-11-2019-028)

**WHEREAS**, K. Margos Mark Shahinian and Bonnie L. Granitski a/k/a Bonnie L. Shahinian (the "Shahinians") own property at 265 Mount's Mills Road, identified as Block 53 Lot 28.10, (the "Property") in the Township of Monroe; and

**WHEREAS**, the Shahinians have granted a Deed to the Township of Monroe, in the form attached hereto as Exhibit "A," for a portion of the Property along Mount's Mills Road to enable the widening Mount's Mills Road; and

**WHEREAS**, the Shahinians have granted a conservation easement to the Township of Monroe, in the form attached hereto as Exhibit “B,” for wetlands and wetlands buffer on the property; and

**WHEREAS**, the Monroe Township Engineer has reviewed the metes and bounds descriptions in the deed and the conservation easement and has found them to be in conformity with the dedication requirement; and

**WHEREAS**, the Township Attorney has reviewed the deed and conservation easement found them to be legally sufficient; and

**WHEREAS**, the Township Council has determined that accepting the deed and conservation easement is in the public interest;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, as follows:

**SECTION 1.** The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute all documents which are reasonably necessary to accept the deed and conservation easement from the Shahinians.

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

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

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

**SO ORDAINED** as aforesaid.

**PUBLIC:**

**Michele Arminio – 9 Nathaniel St.** – Mrs. Arminio asked how many acres would be designated as a conservation easement; Engineer Rasimowicz answered 22,000 square feet which is about half an acre. Mrs. Arminio asked if that was going into the Township’s Open Space inventory to which Engineer Rasimowicz answered that we keep track of the conservation easements and wetlands but not really Open Space. Mrs. Arminio stated that it is incongruent as to what the perception of Open Space is and asked the Council to vote no on this Ordinance, questioning why the Ordinance states that it is in the public’s best interest; Engineer Rasimowicz answered that the Ordinance does not speak anything of Open Space, it says conservation easement and the right of way is for just that as under NJDEP they are required to provide a conservation easement. Mrs. Arminio stated that if this goes into our Open Space inventory she objects as wetlands and buffers cannot be built on and should not go into the Open Space inventory. The public is thinking of large portions of Open Space; Council President Dalina thanked her for her comments.

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Baskin, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:  
**O-11-2019-028 ORDINANCE ACCEPTING A DEED AND A CONSERVATION EASEMENT FROM MARGOS MARK SHAHINIAN AND BONNIE L. GRANITSKI AT 265 MOUNT’S MILLS ROAD, BLOCK 53, LOT 28.10.**

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-11-2019-028

**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-12-2019-029 ORDINANCE ACCEPTING A DEED FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR BLOCK 3, LOT 1.05 FOR FUTURE ROADWAY IMPROVEMENTS.**

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-12-2019-029



**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-12-2019-030 SUPERVISORY PERSONNEL 2020 SALARY AND WAGE ORDINANCE FOR MONROE TOWNSHIP, MIDDLESEX COUNTY.**

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-12-2019-030

Councilman Dipierro questioned R-12-2019-287 to which he stated that this sounds like it is coming from the State and asked if this was going to wipe out OPRA completely; Council President Dalina answered that if he had a crystal ball he could answer him but stated no he does not believe this will wipe out OPRA by any means. Councilman Dipierro responded that as a Councilman he has had to OPRA documents and has been asked for extensions to which he denied. He added that we need to remain transparent and be able to be provided documents as requested.

Councilman Dipierro suggested that in regards to resolutions such as R-12-2019-290 and R-12-2019-291, that all extraordinary litigation costs be put in brackets so we could see the current cost along with the total spent as this would make it more transparent.

Councilman Baskin commented that he attended an OPRA seminar held at the NJ League of Municipalities Conference and the requests have increased greatly which causes us to spend more money especially when some requests are camouflaged for other things. We had to hire a special person just to help take care of the voluminous OPRA requests we receive.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider the following Resolutions were moved for Adoption under the **CONSENT AGENDA**: (R-12-2019-286 through R-12-2019-326 with the exception of R-12-2019-317 which will be voted on separately)

**R-12-2019-286 RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH MONROE TOWNSHIP FIRE DISTRICT NO. 3 FOR THE PROVISION OF ROCK SALT.**

**WHEREAS**, it is the desire of the Township of Monroe to enter into a Shared Services Agreement for the provision of rock salt with Monroe Township Fire District No. 3 for a three (3) year period, commencing January 1, 2020 through December 31, 2022; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes the approval of Shared Service Agreements by resolution; and

**WHEREAS**, the services to be provided by the Township of Monroe, to the Monroe Township Fire District No. 3 shall include the provision of rock salt, charged at the same rate that the Township of Monroe pays through the Somerset County Cooperative, currently \$57.57/ton; and

**WHEREAS**, Wayne Horbatt, Superintendent of the Monroe Township Public Works Department shall be the contact for said services on behalf 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 and State of New Jersey, that the Township of Monroe is hereby authorized to enter into a Shared Services Agreement for the provision of rock salt, and the Mayor and Township Clerk are authorized to execute said agreement.

**SO RESOLVED**, as aforesaid.

**R-12-2019-287 RESOLUTION CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT.**

**WHEREAS**, the Township of Monroe strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

**WHEREAS**, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

**WHEREAS**, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

**WHEREAS**, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

**WHEREAS**, the Township of Monroe has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

**WHEREAS**, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

**WHEREAS**, the Township of Monroe received and responded to 550 OPRA requests in 2017, 721 OPRA requests in 2018, and to date has received and responded to 933 OPRA requests as of November 22, 2019; and

**WHEREAS**, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever-increasing cost to taxpayers; and

**WHEREAS**, as the current law approaches its twentieth (20<sup>th</sup>) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the Township of Monroe appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Assemblymen Wayne P. DeAngelo and Daniel R. Benson Senator Linda R. Greenstein, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

**SO RESOLVED**, as aforesaid.

**R-12-2019-288                    RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2020  
RECYCLING ENHANCEMENT GRANT APPLICATION TO THE  
MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT.**

**WHEREAS**, The County of Middlesex in continuing to recognize the importance of recycling and the role that the individual municipalities play in conjunction with the County towards achieving an exemplary recycling rate has proposed to provide grant monies to municipalities through the Recycling Enhancement Grant (REG) Program; and

**WHEREAS**, the intent of the REG Program is to provide funds to qualifying municipalities to be used for recycling compliance and enforcement to enhance a municipality's recycling program; and

**WHEREAS**, it appears to be in the best interest of the Township of Monroe and its citizens to apply for this grant;

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, that the Public Works Director and Recycling Coordinator are hereby authorized to submit the attached application for consideration of a grant to the Middlesex County Division of Solid Waste Management.

**R-12-2019-289                    RESOLUTION AUTHORIZING EXPENDITURE OF THE TREE  
ESCROW FUND. (\$2000)**

**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 Council believes that purpose is served by planting and maintaining trees on public property including pruning/removal where appropriate, educating and informing the public on the importance of trees and forests and their importance to a clean and healthy environment and to fund community forestry projects designed by the Shade Tree Commission under The New Jersey Shade Tree and Community Forestry Program; and

**WHEREAS**, the Shade Tree Commission has recommended the removal of certain shade trees throughout the Township as part of the Fall 2019 replacement planting; and

**WHEREAS**, the Township Council believes that the costs of shade tree removal are properly payable from the Tree Escrow Fund; and

**WHEREAS**, the Certified Municipal Finance Officer has certified in Certificate No. C-1900075 a copy of which is attached, that sufficient funds are available within the Tree Escrow Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe authorizes the expenditure of not more than \$2,000.00 for the removal of certain shade trees throughout the Township if, as, and when invoices are tendered by RKD, from the Tree Escrow Fund;

**BE IT FURTHER RESOLVED** that the Certified Municipal Finance Officer is hereby authorized and directed to pay Power Saws of America, Inc., t/a RKD Tree Service, 485 A Schoolhouse Road, Monroe Twp., New Jersey 08831, in accordance with their invoices and the foregoing authorization, if, as, and when presented, from the Tree Escrow Fund.

**SO RESOLVED**, as aforesaid.

**R-12-2019-290                    RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. TO HANDLE THE MATTER OF CARRINGTON MORTGAGE SERVICES LLC. v. EDDUIL A. CAMACHO, ET. AL., AS EXTRAORDINARY LITIGATION. (\$3000)**

**WHEREAS** Carrington Mortgage Services, LLC, filed a foreclosure action titled, Carrington Mortgage Services, LLC v. Edduil A. Camacho, et al. under docket number F-005441-19 to foreclose property located at 20 Tenth Avenue, Monroe Township, in Block 160.5, Lot 6 of the Monroe Township Tax Map (“Subject Property”); and,

**WHEREAS**, Monroe Township holds a Affordable Housing Rehabilitation lien on the Subject Property as evidenced by the Affordable Housing Rehabilitation Agreement dated January 2013, and recorded with the Clerk of Middlesex County on September 16, 2013, in Book 15447, Page 431 to secure \$ 70,048.00; and,

**WHEREAS**, on April 29, 2019, by Resolution R-5-2019-130, Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, rendered its advice and consented to have Shain, Schaffer, P.C. handle the matter of Carrington Mortgage Services, LLC v. Edduil A. Camacho, et al., as extraordinary litigation, for legal services to be provided in an amount up to \$3,000.00 from the Affordable Housing Trust Fund as an Administrative Expense, pending further authorization from the Council; and

**WHEREAS**, on May 27, 2019 the homeowners, Edduil A. Camacho and Nichola A. Camacho, filed for Chapter 13 Bankruptcy in the United States Bankruptcy Court of New Jersey, in Case No. 19-20604-KCF; and

**WHEREAS**, on August 5, 2019, by Resolution R-5-2019-207, Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, rendered its advice and consented to have Shain, Schaffer, P.C. handle the matter of Carrington Mortgage Services, LLC v. Edduil A. Camacho, et al., as extraordinary litigation, for legal services to be provided in an additional amount up to \$5,000.00 from the Affordable Housing Trust Fund as an Administrative Expense, pending further authorization from the Council; and

**WHEREAS**, legal representation costs have now exceeded the amount granted by Resolution R-5-2019-207; and

**WHEREAS**, continued representation by Shain Schaffer P.C. is necessary to protect the Township’s Affordable Housing interest in the Subject Property; and

**WHEREAS**, the Township Treasurer has determined that sufficient funds are available in the Affordable Housing Trust Fund, in the amount of \$3,000.00, for Shain Schaffer P.C. to further handle this matter as extraordinary litigation, as evidenced by the Treasurer’s Certification No. C-1900028, 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 have Shain, Schaffer, P.C. continue to handle the matter of Carrington Mortgage Services, LLC v. Edduil A. Camacho, et al., and the Bankruptcy petition, as extraordinary litigation for which legal services may be provided in an amount up to \$3,000.00, pending further authorization from the Council.

**SO RESOLVED**, as aforesaid.

**R-12-2019-291      RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER, P.C. TO HANDLE THE MATTER OF CT07 SPII LLC AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (\$15,000)**

**WHEREAS**, a lawsuit has been filed against the Township of Monroe, the Monroe Township Zoning Board of Adjustment and the Mayor and Township Council of the Township of Monroe, in the Superior Court of New Jersey, Middlesex County, Docket No. MID-L-3953-19, entitled CT07 SPII LLC, and DT07 SPII LLC v. Township of Monroe, et al.; and

**WHEREAS**, Shain Schaffer, P.C. possesses the expertise necessary to represent the Township in these matters; and

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer, P.C. defend the interests of the Township and this matter be treated as extraordinary litigation; and

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

**WHEREAS**, the Township Council, by Resolution No. R-6-2019-180 acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain Schaffer, P.C. pending further authorization of the Township Council; and

**WHEREAS**, Shain Schaffer, P.C. has incurred legal fees in excess of the budgeted amounts and has requested additional authorization in the amount of **\$15,000.00**; and

**WHEREAS**, the Council has reviewed the request and believes that an additional authorization in the amount of **\$15,000.00** for the above referenced litigation is reasonable at this time; and

**WHEREAS**, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No and C-1900052, 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 authorizes Shain, Schaffer P.C. be paid for legal services rendered in connection with the matter CT07 SPII LLC, and DT07 SPII LLC v. Township of Monroe, et al in the amount of **\$15,000.00**.

**SO RESOLVED**, as aforesaid.

**R-12-2019-292      RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. LOVE’S TREE REMOVAL, INC. ET. AT. AS EXTRAORDINARY LITIGATION. (\$10,000)**

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer P.C., previously known as Shain, Schaffer & Rafanello, P.C., pursue the Township’s claims against Love’s Tree Removal, Inc., and various other persons and companies in Monroe Township, identified on Exhibit “A” hereto, who are using real property as mulch processing facilities, and other related uses, which are in violation of Township ordinances, as extraordinary litigation; and

**WHEREAS**, the Township Council, by Resolution No. R-4-2017-122, acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain Schaffer, P.C. for the defense of the Township of Monroe in this matter pending further authorization of the Township Council; and

**WHEREAS**, Shain Schaffer, P.C. has incurred legal fees in excess of the budgeted amounts and has requested authorization in the additional amount of \$10,000.00; and

**WHEREAS**, the Township Council has reviewed the request and believes that an additional authorization in the amount of \$10,000.00 is reasonable at this time; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available in the amount of \$10,000.00, as evidenced by Certificate No. C-1700024, copy of which are annexed hereto as Exhibit "A";

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Monroe, County of Middlesex, and State of New Jersey, that it has rendered its advice and hereby consents to the additional payment of legal fees to Shain Schaffer, P.C. for the action entitled Township of Monroe v. Love's Tree Removal, Inc. et al in an amount not to exceed \$10,000.00.

**SO RESOLVED**, as aforesaid.

**R-12-2019-293                    RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTH DEVELOPMENT, INC. (Q.E.D.). (\$41,496)**

**WHEREAS**, the Township of Monroe, County of Middlesex, had purchased Q.E.D. Software for the Monroe Township Police Department; and

**WHEREAS**, the Township of Monroe wishes to enter into an annual Maintenance Agreement with Queues Enforth Development, Inc. (Q.E.D.); and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(dd) authorizes the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software, except that this provision shall not be utilized to acquire or upgrade non-proprietary hardware or to acquire or update non-proprietary software; and

**WHEREAS**, the actual cost of the Software Maintenance Agreement for calendar year 2020 shall not exceed Forty-One Thousand, Four Hundred Ninety-Six dollars (**\$41,496.00**); and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1900079, 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 the Software Maintenance Agreement, effective January 1, 2020 through December 31, 2020, with **Q.E.D., Inc., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180-3647** in an amount not to exceed Forty-One Thousand, Four Hundred Ninety-Six dollars (**\$41,496.00**);

**SO RESOLVED**, as aforesaid.

**R-12-2019-294                    RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE, PHASE 10 PB-1151-14.**

**WHEREAS**, Toll NJ II, L.P. has posted Performance Guarantees in the amount of \$2,355,171.52 for the Regency at Monroe, Phase 10 project PB-1151-14; 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 August 23, 2019, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$2,119,654.36	\$235,517.15
Reduce to	\$1,202,261.38	\$133,584.60

; 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 Toll NJ II, L.P. for the Regency at Monroe, Phase 10 project PB-1151-14, 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-12-2019-295            RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE  
GUARANTEES POSTED BY ROAD SAFETY SYSTEMS IN  
CONNECTION WITH THE TOWNSHIP WIDE GUIDERAIL  
REPLACEMENT PROJECT UPON THE POSTING OF A  
MAINTENANCE GUARANTEE.**

**WHEREAS, Road Safety Systems** has posted Performance Guarantees in connection with the Township wide Guiderail Replacement project; and

**WHEREAS, Road Safety Systems** 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 November 11, 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 2019 Township wide Guiderail Replacement project, be released as reflected in the Township Engineer's letter dated November 11, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$8,922.40**. 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-12-2019-296            RESOLUTION AUTHORIZING AWARD OF BID TO STOUT'S  
CHARTER SERVICE, INC. FOR MONROE TOWNSHIP CHARTER BUS  
SERVICE. (per unit pricing)**

**WHEREAS**, on November 14, 2019 one (1) sealed bid was received by Monroe Township regarding the Monroe Township Charter Bus Service; and

**WHEREAS**, the Monroe Township Business Administrator recommends in his letter dated November 15, 2019, a copy of which is attached hereto, that a two (2) year contract, commencing January 1, 2020, shall be awarded to **Stout's Charter Service Inc. 20 Irven Street, Trenton, N.J. 08638**, at the unit pricing provided by the bidder, and as shown on the attached schedule of rates for the Monroe Township Charter Bus Transportation; 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-1900080, a copy of which is attached hereto as Exhibit "A"; 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; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a two (2) year contract to **Stout's Charter Service Inc.**, for the Monroe Township Charter Bus Service at the pricing provided by the bidder; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Stout's Charter Service Inc.**, for a contract term ending on December 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 Certified Municipal Finance Officer is hereby authorized and directed to pay **Stout's Charter Service 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 **Stout's Charter Service 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-12-2019-297                    RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER OF BLACKROCK ENTERPRISES, LLC. AND STANLEY OLBRYNS, AS EXECUTOR OF THE ESTATE OF ELEANOR OLBRYNS v. THE TOWNSHIP OF MONROE. (\$5000)**

**WHEREAS**, a lawsuit has been filed against the Township of Monroe in the Superior Court of New Jersey, Middlesex County, Law Division, Docket No. MID-L-007614-19, entitled Blackrock Enterprises, LLC and Stanley Olbrys, as executor of the estate of Eleanor Olbrys v. the Zoning Board of Adjustment of the Township of Monroe and Township of Monroe ("Blackrock Litigation"); and

**WHEREAS**, Shain Schaffer PC, possesses the expertise necessary to handle this litigation on behalf of the Township; and

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

**WHEREAS**, acknowledgment of the status of "extraordinary litigation" requires the advice and consent of the Township Council; and

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer PC, handle Blackrock Enterprises, LLC and Stanley Olbrys, as Executor of The Estate of Eleanor Olbrys v. Zoning Board of Adjustment of the Township of Monroe and Township of Monroe on behalf of the Township as extraordinary litigation; and

**WHEREAS**, Shain Schaffer PC, will render legal services at a cost not to exceed \$5,000 with respect to the Blackrock Enterprises, LLC and Stanley Olbrys, as executor of the estate of Eleanor Olbrys v. Zoning Board of Adjustment of the Township of Monroe and Township of Monroe pending further authorization from the Township Council; and

**WHEREAS**, the Township Treasurer has determined that sufficient funds are available in the Township budget in the amount of \$5,000 to handle this matter as extraordinary litigation as evidenced by the Treasurer's Certification No. C-1900076, 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 Shain Schaffer PC, handling the matter of Blackrock Enterprises, LLC and Stanley Olbrys, as executor of the estate of Eleanor Olbrys v. Zoning Board of Adjustment of the Township of Monroe and Township of Monroe as extraordinary litigation, for which legal services may be provided in an amount up to \$5,000 pending further authorization from the Council.

**SO RESOLVED**, as aforesaid *nunc pro tunc*.

**R-12-2019-298                    RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING OF A MAINTENANCE GUARANTEE FOR COSTCO WHOLESALE CORPORATION – PB-1159-14.**

**WHEREAS**, Section 108-13.1A(4) of the Code of the Township of Monroe requires the Developer to furnish a two (2) year maintenance guarantee in an amount equal to fifteen percent (15%) of the original performance guarantee upon release of the performance guarantees by the Township Council upon the Township Engineer's written recommendation; and

**WHEREAS**, **Costco Wholesale Corporation** has posted Performance Guarantees in the amount of \$2,892,954.43 for the Costco Wholesale, Block 79, Lot 20 project PB-1159-14; and

**WHEREAS**, a request has been made to release the performance guarantees; and

**WHEREAS**, the Township Engineer's office, by copy of letter dated November 14, 2019, recommends release of the projects Performance Guarantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that release of the project performance guarantees shall be conditioned upon resolution of all outstanding escrow balances associated with the administration of this project by Township officials, as well as the posting of maintenance guarantees for 15% of the project total (\$2,410,795.36), or \$361,619.30. 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;

**BE IT FURTHER RESOLVED**, in accordance with the Monroe Township Code, “the developer shall maintain funds in the engineering inspection escrow account in the amount of fifty percent (50%) of the original deposit”, however the Township Engineer’s office feels the funds currently being held in escrow are sufficient.

**SO RESOLVED**, as aforesaid.

**R-12-2019-299                    RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY COMMERCIAL CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE PROSPECT PLAINS SOCCER COMPLEX CONCESSION AND RESTROOM CONSTRUCTION PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.**

**WHEREAS, Commercial Construction Management Services** has posted Performance Guarantees for the Prospect Plains Soccer Complex Concession and Restroom Construction Project; and

**WHEREAS, Commercial Construction Management Services** 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 November 14, 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 Prospect Plains Soccer Complex Concession and Restroom Construction Project, be released as reflected in the Township Engineer’s letter dated November 14, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$78,943.19**. 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-12-2019-300                    RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 1 ROADWAY IMPROVEMENTS PROJECT.**  
(no change in contract amount only adjusted quantities)

**WHEREAS**, pursuant to Resolution No. R-5-2019-132, adopted by the Monroe Township Council at its meeting held on May 6, 2019, a contract was awarded to Meco, Inc. in connection with the 2019 Phase 1 Roadway Improvements Project; and

**WHEREAS**, the original total contract amount was \$549,323.00; and

**WHEREAS**, the Township Engineer, in a letter dated October 29, 2019, requested approval of Change Order No. 1 and Final for the 2019 Phase 1 Roadway Improvements Project reflecting no change in the contract amount, just adjusted contract quantities, as described in the attached change order; and

**WHEREAS**, the current contract price including this change order is \$549,323.00; and

**WHEREAS**, the Township Council has reviewed the request and has found same to be reasonable; 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 hereby authorized to execute Change Order No. 1 and Final, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.



**R-12-2019-301                    RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 1 ROADWAY IMPROVEMENTS PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.**

**WHEREAS, Meco, Inc.** has posted Performance Guarantees for the 2019 Phase 1 Roadway Improvements Project; and

**WHEREAS, Meco, Inc.** 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 October 29, 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 2019 Phase 1 Roadway Improvements Project, be released as reflected in the Township Engineer's letter dated October 29, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$54,932.30**. 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-12-2019-302                    RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 2 ROADWAY IMPROVEMENTS PROJECT.  
(Decrease of \$46,021.58)**

**WHEREAS,** pursuant to Resolution No. R-6-2019-160, adopted by the Monroe Township Council at its meeting held on June 5, 2019, a contract was awarded to Meco, Inc. in connection with the 2019 Phase 2 Roadway Improvements Project; and

**WHEREAS,** the original total contract amount was \$537,111.80; and

**WHEREAS,** the Township Engineer, in a letter dated October 29, 2019, requested approval of Change Order No. 1 and Final for the 2019 Phase 2 Roadway Improvements Project reflecting a decrease in the amount of **\$46,021.58** as described in the attached change order;

**WHEREAS,** the current contract price including this change order is \$491,090.22; 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-1900045**, 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 forty six thousand twenty one dollars and fifty eight cents (\$46,021.58).

**SO RESOLVED,** as aforesaid.

**R-12-2019-303                    RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY MECO, INC. IN CONNECTION WITH THE 2019 PHASE 2 ROADWAY IMPROVEMENTS PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.**

**WHEREAS, Meco, Inc.** has posted Performance Guarantees for the 2019 Phase 2 Roadway Improvements Project; and

**WHEREAS, Meco, Inc.** 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 October 29, 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 2019 Phase 2 Roadway Improvements Project, be released as reflected in the Township Engineer's letter dated October 29, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$49,108.02**. 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-12-2019-304                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO INSURANCE RESTORATION SPECIALISTS, INC. FOR NECESSARY IMPROVEMENTS TO THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$72,053.43)**

**WHEREAS**, on October 4, 2019, the Monroe Township Police Department experienced an emergency requiring necessary infrastructure improvements; and

**WHEREAS**, N.J.S.A. 40A:11-6 authorized the award of contracts without public advertising notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, the emergent nature of the infrastructure improvement could not have reasonably been foreseen by the Township and resulted in the need to seek additional help from outside Contractors so as to protect the public health, safety and welfare of the residents of the Township; and

**WHEREAS**, due to the immediate necessity for the improvement, Alan Weinberg, Business Administrator authorized Chief Michael Biennas to seek an outside Contractor as outlined on the attached proposal, with invoices dated October 4, 2019 and October 16, 2019, as follows:

**Insurance Restoration Specialists, Inc.  
30 Abeel Rd.  
Monroe Twp., NJ 08831**

**TOTAL CONTRACT PRICE:                    \$72,053.43**

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

1. That the emergency contract with **Insurance Restoration Specialists, Inc.** is hereby approved and ratified. A copy of this contract, which shall be acceptable in form to the Township's counsel, shall be maintained on file by the Township in the same manner as contract awarded pursuant to other sections of the New Jersey Local Public Contracts Law.
2. That the Township is authorized to take all steps necessary to implement the said contract, including without limitation the issuance of payment in accordance with the terms of said contract.

**SO RESOLVED**, as aforesaid.

**R-12-2019-305                    RESOLUTION AUTHORIZING AWARD OF CONTRACTS TO U.S. TECH INCORPORATED AND PRECISION TECH FOR THE PURCHASE AND INSTALLATION OF A UPS BATTERY SYSTEM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$24,723)**

**WHEREAS**, on September 3, 2019, the Monroe Township Police Department solicited proposals for a replacement UPS battery system, as well as, a contractor to replace the UPS battery system; and

**WHEREAS**, the three (3) competitive quotes received for the replacement UPS Battery System are as herein below set forth:

**U.S. Tech Incorporated** – Franklin Lakes, N.J. - \$17,523.00  
**NC 1 Technologies** – Janesville, WI - \$18,128.00  
**Republic Data Products Inc.** – Maplewood, N.J. - \$20,740.00

**WHEREAS**, the three (3) competitive quotes received for the contractor to replace the UPS Battery System are as herein below set forth:

**Precision Tech** – Manalapan, N.J. - \$7,200.00  
**BW Electrical Services, LLC** – Hillsborough, N.J.- \$7,900.00  
**Halasz Electrical Contractors, Inc.** – Jamesburg, N.J. - \$8,000.00

**WHEREAS**, the Township QPA has reviewed the above proposals received and, by copy of letter dated November 22, 2019, recommends the award of contract to **U.S. Tech Incorporated, P.O. Box 152, Franklin Lakes, N.J. 07417**, in the amount of **\$17,523.00** for the replacement UPS Battery System and the award of contract to **Precision Tech, 4 Ikes Lane, Manalapan, N.J.**, in the amount of **\$7,200.00** to replace the UPS Battery System ; and

**WHEREAS**, the award of contracts are subject to the compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.; any contractor, subcontractor of business firm agree and guarantee to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contracts 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 **U.S. Tech Incorporated** for the UPS Battery System for a total contract price of **\$17,523.00**; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1900077, a copy of which is attached hereto; and

**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 **Precision Tech** for replacement of the UPS Battery System for a total contract price of **\$7,200.00**; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-1900078, a copy of which is attached hereto; and

**BE IT FURTHER RESOLVED** that the Certified Municipal Finance Officer is hereby authorized and directed to pay **U.S. Tech Incorporated & Precision Tech** in accordance with the contract entered into between the parties; and

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that **U.S. Tech Incorporated & Precision Tech** 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-12-2019-306                      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-Hundred Twenty-Three Thousand Eight-Hundred dollars and no cents (\$123,800.00),

**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-12-2019-307                      RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE  
GUARANTEES POSTED BY EAGLE CONSTRUCTION SERVICES INC.  
IN CONNECTION WITH THE DANIEL P. RYAN MEMORIAL FIELD  
ADA RESTROOM, CONCESSION STAND AND PUMP STATION  
PROJECT UPON THE POSTING OF A MAINTENANCE GUARANTEE.**

**WHEREAS, Eagle Construction Services, Inc.** has posted Performance Guarantees in connection with the **Daniel P. Ryan Memorial Field ADA Restroom, Concession Stand and Pump Station Project**; and

**WHEREAS, Eagle Construction Services, Inc.** 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 November 18, 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 Daniel P. Ryan Memorial Field ADA Restroom, Concession Stand and Pump Station Project, be released as reflected in the Township Engineer's letter attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$65,848.80**. 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-12-2019-308                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WATER WORKS SUPPLY CO., INC. FOR SECTION A, C, D/L AND F OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**  
(A-\$5,577.72, C- \$15,325.86, D/L- \$5,028.99, F- \$8,604.87)

**WHEREAS,** on October 25, 2019 at 11:00 AM, six (6) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 489, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS,** Water Works Supply Co., Inc has submitted the lowest responsible and responsive bids for Sections A, C, D/L and F; and

**WHEREAS,** the Purchasing Agent of the M.T.U.D. by copy of a letter dated November 8, 2019, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to Water Works Supply Co., Inc., based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as exhibit B; 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-190016 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS,** Water Works Supply Co., Inc has submitted all the required documents with their bid; 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 enter into a contract Water Works Supply Co., Inc in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Water Works Supply Co., Inc in accordance with their bid;

(3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;

(4) This contract is awarded with the stipulation that Water Works Supply Co., Inc shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED,** as aforesaid.

**R-12-2019-309                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO BRENT MATERIAL CO. FOR SECTION B OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.")** (B- \$18,875)

**WHEREAS**, on October 25, 2019 at 11:00 AM, six (6) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 489, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS**, Brent Material Co. has submitted the lowest responsible and responsive bids for Section B; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated November 8, 2019, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to Brent Material Co., based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as exhibit B; 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-190020 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Brent Material Co. has submitted all the required documents with their bid; 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 enter into a contract Brent Material Co. in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Brent Material Co. in accordance with their bid;

(3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;

(4) This contract is awarded with the stipulation that Brent Material Co. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-12-2019-310                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CORE AND MAIN, LP FOR SECTIONS D, E AND J OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**  
(D- \$4,408.00, E- \$2,439.38, J- \$41,470)

**WHEREAS**, on October 25, 2019 at 11:00 AM, six (6) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 489, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS**, Core and Main, LP has submitted the lowest responsible and responsive bids for Sections D, E, and J; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated November 8, 2019, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to Core and Main, LP, based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as exhibit B; 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-190017 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Core and Main, LP has submitted all the required documents with their bid; 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 enter into a contract Core and Main, LP in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Core and Main, LP in accordance with their bid;

(3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;

(4) This contract is awarded with the stipulation that Core and Main, LP shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-12-2019-311**            **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO KENNEDY CULVERT & SUPPLY CO. FOR SECTIONS G, K AND M OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**  
(G- \$24,145.91, K- \$32,206.37, M- \$23,538.80)

**WHEREAS**, on October 25, 2019 at 11:00 AM, six (6) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 489, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS**, Kennedy Culvert & Supply Co. has submitted the lowest responsible and responsive bids for Sections G, K, and M; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated November 8, 2019, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to Kennedy Culvert & Supply Co., based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as exhibit B; 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-190018 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Kennedy Culvert & Supply Co. has submitted all the required documents with their bid; 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 enter into a contract Kennedy Culvert & Supply Co. in accordance with their submitted bid;
- (2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Kennedy Culvert & Supply Co. in accordance with their bid;
- (3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;
- (4) This contract is awarded with the stipulation that Kennedy Culvert & Supply Co. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-12-2019-312**            **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO RARITAN GROUP, INC. FOR SECTIONS H AND I OF CONTRACT 489 "WATER & SEWER SYSTEM APPURTENANCES" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**  
(H- \$113,856.84, I- \$53,958.87)

**WHEREAS**, on October 25, 2019 at 11:00 AM, six (6) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 489, "Water & Sewer System Appurtenances", required by the M.T.U.D.; and

**WHEREAS**, Raritan Group, Inc. has submitted the lowest responsible and responsive bids for Sections H and I; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated November 8, 2019, has recommended that, subject to a positive review from the township attorney, a contract should be awarded to Raritan Group, Inc., based in unit pricing and estimated quantities, for the sections listed above, a copy of which is attached as exhibit B; 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-190019 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Raritan Group, Inc. has submitted all the required documents with their bid; 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 enter into a contract Raritan Group, Inc. in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Raritan Group, Inc. in accordance with their bid;

(3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;

(4) This contract is awarded with the stipulation that Raritan Group, Inc. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-12-2019-313 RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) CARGO VAN USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (\$20,911)**

**WHEREAS**, the Monroe Township Utility Department has the need for one (1) Cargo Van; and

**WHEREAS**, the State of New Jersey, Division of Purchase and Property via its Cooperative Purchasing Program (NJCP1) has awarded Contract Index No. T2103 for Cargo Vans to Mall Chevrolet, Inc. (Contract No. A88213), through a competitive bidding process, as equipped, in amounts indicated as follows:

One (1) Chevrolet Express 2500 Cargo Van \$20,911.00  
;and

**WHEREAS**, it is required by law that any “state contract” purchase which exceeds the bid threshold of the Township (\$40,000.00) in aggregate, be authorized by the governing body; and

**WHEREAS**, the total amount for these vehicles exceeds the Township’s bid threshold in aggregate; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate No. M-190021 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) Authorizes the Purchasing Agent of the M.T.U.D. to purchase said vehicles from Mall Chevrolet, Inc. using the State Contract Term Nos. T-2103; and

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for said vehicles delivered by Mall Chevrolet, Inc., respectively.; and

(3) The contracts are awarded through the New Jersey Cooperative Purchasing Program are considered fair and open contracts in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

**SO RESOLVED**, as aforesaid.

**R-12-2019-314 RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 684.10, REGENCY @ MONROE, PHASE 10, PB-1151-14 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

**WHEREAS**, Toll Brothers, Inc. has posted a Performance Guarantee for 684.10; and

**WHEREAS**, Toll Brothers, Inc. has requested a 70% reduction in the Performance Guarantee posted for the project; and

**WHEREAS**, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated November 20, 2019, a copy of which is attached hereto as Exhibit "A":

Performance Bond #0707123 (water) in the amount of \$223,452.00 to be reduced to \$67,035.60.

Cash Performance Guarantee in the amount of \$24,828.00.00 be reduced to \$7,448.40.

Performance Bond #0707124 (sewer) in the amount of \$397,116.00 to be reduced to \$119,134.80.

Cash Performance Guarantee in the amount of \$44,124.00 be reduced to \$13,237.20.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantees posted for W&S 684.10 be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-12-2019-315                    RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1108FM, MONROE PARKE FORCE MAIN, PB-1141-13 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, JSM @ Monroe, LLC has posted a Performance Guarantee for W&S1108FM; and

**WHEREAS**, JSM @ Monroe, LLC has requested a 70% reduction in the Performance Guarantee posted for the project; and

**WHEREAS**, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated November 20, 2019, a copy of which is attached hereto as Exhibit "A":

Performance Bond #S-309056 in the amount of \$672,393.00 to be reduced to \$201,717.90.

Cash Performance Guarantee in the amount of \$74,710.00 be reduced to \$22,413.00.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantees posted for W&S 1108FM be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-12-2019-316                    RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE FOR W&S 1157, GARIBALDI AVENUE, PB-1175-15 POSTED THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, Lucille DiPasquale has posted cash maintenance guarantees with the Monroe Township Utility Department ("MTUD"); and

**WHEREAS**, the guarantee has expired and Lucille DiPasquale has requested the release of the cash Maintenance Guarantee; and

**WHEREAS**, as defined in N.J.S.A. 40:55D-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Monroe Township Council approve the request for release of the cash maintenance guarantee, as detailed in a letter dated November 20, 2019, 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 MTUD Director;



Cash Maintenance Bond for water in the amount of \$5,346.00 to be returned to the developer.

Cash Maintenance Bond for sewer in the amount of \$810.00 to be returned to the developer.

**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 Maintenance Guarantee posted for W&S 1157 – Garibaldi Avenue, be released as reflected above and within the letter annexed hereto. This approval for release of cash maintenance guarantee is conditioned upon the resolution 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-12-2019-318                    RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE FOR W&S 684.7, REGENCY @ MONROE PUMP STATION, TOLL BROTHERS, INC. POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

**WHEREAS**, Toll Brothers, Inc. has posted bond and a cash guarantee with the Monroe Township Utility Department (“MTUD”) for W&S 684.7; and

**WHEREAS**, Toll Brothers, Inc. has requested the release of the bond and Cash Guarantee; and

**WHEREAS**, as defined in N.J.S.A. 40:55D-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Monroe Township Council approve the request for release of the bond and cash guarantee, as detailed in a letter dated November 20, 2019, a copy of which is attached hereto as Exhibit "A"; and

Bond #103964611 in the amount of \$101,520.00 be released in full to the developer.  
Cash bond in the amount of \$11,280.00 be returned to the developer.

**WHEREAS**, the Monroe Township Council has reviewed and hereby approves the recommendation of the MTUD 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 Bond and Cash Guarantee posted for Regency Pump Station be released as reflected above and within the letter annexed hereto. This approval for release of cash guarantee is conditioned upon the resolution 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-12-2019-319                    RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX, DEPARTMENT OF SENIOR SERVICES AND THE TOWNSHIP OF MONROE, OFFICE ON AGING FOR OUTREACH SERVICES.**

**WHEREAS**, the County of Middlesex entered into a contract with the State of New Jersey, Department of Health and Senior Services, for the purpose of providing services primarily for older adults under the County Department of Senior Services Area Plan contract; and

**WHEREAS**, under Rules and Regulations for County Offices on Aging, N.J.A.C. 5:71-1.2(c) and the County Department of Senior Services Area Plan Contract, the County Department of Senior Services has been provided authority and responsibility to administer these Programs; and

**WHEREAS**, the Area Plan Contract with the New Jersey Department of Health and Senior Services stipulates the County of Middlesex, Office on Senior Services will provide funding for Outreach services through an Agreement with the Township of Monroe - Office on Aging; and

**WHEREAS**, the contract between Monroe Township and County of Middlesex Department of Senior Services calls for a minimum of 600 unduplicated senior clients to be provided with the above stated services at a cost not to exceed \$8,000.00 of Older Americans Act grant funds with matching funds (as appropriate) per the approved program budget; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor, Certified Municipal Finance Officer and Township Clerk be and are hereby authorized and directed to execute the attached Grant Agreement for the project entitled, "Monroe Office on Aging & Disabled Services - Outreach", Grant Agreement No. 20-507, for the period of January 1, 2020 through December 31, 2020.

**R-12-2019-320                    RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH GREENLEAF LANDSCAPE SYSTEMS AND SERVICES, INC. FOR MONROE TOWNSHIP LANDSCAPING SERVICES.**

**WHEREAS**, on March 4, 2019 per Resolution No. R-3-2019-081, **Greenleaf Landscape Systems and Services, Inc.**, was awarded the 2019 Monroe Township Landscaping Services contract; and

**WHEREAS**, the current contract renewal expires on December 31, 2019 and the Township has an option to extend for two additional one-year periods; and

**WHEREAS**, the Director of Public Works inquired as to the willingness of Greenleaf Landscape Systems and Services, Inc. to extend their current contract; and

**WHEREAS**, the attached letter received November 20, 2019 indicates the willingness of Greenleaf Landscape Systems and Services, Inc. to extend the current contract from January 1, 2020 thru December 31, 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-1900011, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Utility Finance Manager has certified availability of funds in Certificate No. M-190009, a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, the contract for Monroe Township Landscaping Services is being extended one year to December 31, 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 one-year extension of contract with **Greenleaf Landscape Systems and Services, Inc** under the same terms, conditions and pricing within their original bid specification submitted for Monroe Township Landscaping Services; 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 2019 contract entered into between the parties;

**SO RESOLVED**, as aforesaid.

**R-12-2019-321                    RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH JAFFE COMMUNICATIONS FOR THE MONROE TOWNSHIP PUBLICATION.**

**WHEREAS**, on September 6, 2017 per Resolution No. R-9-2017-244, **Jaffe Communications** was awarded the contract for the Monroe Township Publication; and

**WHEREAS**, the current contract renewal expired on September 6, 2019 and the Township has an option to extend for one additional one-year period; and

**WHEREAS**, the Business Administrator inquired as to the willingness of Jaffe Communications to extend their current contract; and

**WHEREAS**, the attached letter received November 19, 2019 indicates the willingness of Jaffe Communications to extend the current contract, nunc pro tunc, from September 7, 2019 thru September 6, 2020, under the same terms, conditions and pricing contained within their original contract; and

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certificate No C-1700041, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, the contract for the Monroe Township Publication is being extended one year to September 6, 2020 in accordance with N.J.S.A. 40A:11-15 of the Local Public Contracts Law;

**WHEREAS**, the Finance Department is hereby authorized and directed to pay Invoices to the Jaffe Communications in accordance with the original terms, conditions and pricing contained within their original contract entered into between the parties.

**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 one-year extension of contract with **Jaffe Communications** under the same terms, conditions and pricing within their original proposal submitted for the Monroe Township Publication.

**SO RESOLVED**, as aforesaid.

**R-12-2019-322            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).** (Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant - \$5500)

**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 2019 in the sum of \$5,500.00, which is now available as a revenue from the Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant;

**BE IT FURTHER RESOLVED** that a like sum of \$5,500.00 is hereby appropriated under the caption:

**“2019 DRIVE SOBER OR GET PULLED OVER  
YEAR END HOLIDAY CRACKDOWN”**

**SO RESOLVED**, as aforesaid.

**R-12-2019-323            RESOLUTION AUTHORIZING THE EXECUTION OF A SANITARY SEWER AGREEMENT BY AND BETWEEN PPF INDUSTRIAL ONE ABLE DRIVE, LLC AND THE TOWNSHIP OF MONROE FOR SEWER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)**

**WHEREAS**, PPF Industrial One Able Drive, LLC (the “Developer”) is the developer of certain real property; and

**WHEREAS**, the Developer owns certain commercial property located at 270 Prospect Plains Road (also known as 1 Able Drive), Cranbury, New Jersey, identified as Block 5, Lot 7.01 on the Township of Cranbury tax map (hereinafter the “Project”); and

**WHEREAS**, Sun Pharmaceutical Industries, Inc. (“SPI”) has leased the PPF Facility, but will soon be vacating the PPF Facility; and

**WHEREAS**, the PPF Facility’s effluent is conveyed into a sanitary sewer collection system owned by Monroe Township and operated and maintained by the Monroe Township Utility Department (MTUD); and

**WHEREAS**, the Township previously received connection fees for this site to discharge a total daily volume not to exceed 15,000 gallons per day (GPD) into the MTUD collection system; and

**WHEREAS**, the Township has agreed to permit the PPF Facility to continue to discharge into the Township’s sewer system at a volume not to exceed 15,000 GPD, based upon certain Terms and Conditions set forth in the attached Agreement; and

**WHEREAS**, if at any time during the term of this Agreement the PPF Facility exceeds the current permitted discharge of 15,000 GPD, the PPF Facility will (a) pay a penalty surcharge for all volume in excess of 15,000 GPD in accordance with Chapter 39 of the Township Code, (b) pay any charges imposed on the Township by the MUA as a result of such excess flow, and (c) make immediate arrangements to connect to the Cranbury Sewer Collection System for all excess discharge volume. Also, as a condition of the attached Agreement, PPF shall provide a “will serve” letter from the Township of Cranbury advising that the Township of Cranbury will accept all discharges from the PPF Facility above 15,000 GPD.

**WHEREAS**, the Township will not execute the attached Agreement until said “will serve” letter from the Township of Cranbury is received in a form acceptable to the Township of Monroe; and

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

**WHEREAS**, execution of the attached Agreement in a form substantially similar to the form attached hereto 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 the Sanitary Sewer Agreement with PPF Industrial One Able Drive, LLC for the purpose of providing sewer services to the Project, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-12-2019-324                    RESOLUTION IDENTIFYING THE MONROE TOWNSHIP  
RECREATIONAL ENTITIES TO BE LISTED AS ADDITIONAL  
INSURED UNDER THE GARDEN STATE JOINT INSURANCE FUND.**

**WHEREAS**, the Township of Monroe is a participating member of the Garden State Joint Insurance Fund; and

**WHEREAS**, under the terms and conditions of membership in the Garden State Joint Insurance Fund, certain quasi-public entities may be entitled to benefit from certain insurance coverages provided under the Garden State Joint Insurance Fund; and

**WHEREAS**, the Garden State Joint Insurance Fund has adopted certain criteria to distinguish between eligible quasi-public entities engaged in bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore, not subject to coverage by the Garden State Joint Insurance Fund; and

**WHEREAS**, in order to be extended coverage under the Garden State Joint Insurance Fund policies an organization or activity must meet the test that its function is of the type that municipalities have historically undertaken themselves or have provided with insurance coverage and/or is one which advances a bona fide local public purpose on a non-profit basis typically met by local government, the benefits of which are available to the municipality in general; and

**WHEREAS**, the following entities provide recreational activities to the Township of Monroe and its residents which are bona fide municipal activities:

- Monroe Twp. Baseball Association
- Monroe Twp. Softball Association
- Monroe Wolverines Football and Cheer
- Monroe Wrestling
- Monroe Lacrosse
- Monroe Special Sports
- Monroe Hoops Association
- Monroe Cricket Clubs
- Monroe Table Tennis

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Municipal Council of the Township of Monroe that the above listed entities exist within the Township of Monroe as bona fide recreational activities of the municipality and are, in fact, organizations which support and/or provides services to the municipality in general and as such, are sponsored or subsidized directly or indirectly by the municipality; and

**BE IT FURTHER RESOLVED**, the Township of Monroe does hereby request that these organizations described above be continued as additional named insureds for General Liability, Auto Liability, Property, Workers Compensation, Public Officials/Employment Practices, Crime and Cyber Liability in accordance with the applicable limits and restrictions.

**R-12-2019-325                    RESOLUTION APPROVING TAX SETTLEMENT WITH FORSGATE  
GOLF/RDC FORSGATE.**

**WHEREAS**, Forsgate Golf, LLC and RDC Forsgate Partners LLC, (collectively "Forsgate") are the owners of certain properties in Monroe located at on Forsgate Drive and Fairway Boulevard, which are identified as Block 64 Lot 40.4, Block 65 Lots 4 and 8.2 and Block 67 Lots 21 and 22 on the tax maps of the Township of Monroe;

**WHEREAS**, Forsgate filed appeals to the Tax Court of New Jersey for said premises for the 2014 through 2019 tax years;

**WHEREAS**, the parties have engaged in settlement negotiations;

**WHEREAS**, both parties have made such examination of value and assessment of the property and have obtained appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate;

**WHEREAS**, the terms of the settlement have been set forth on the proposed Stipulations of Settlement attached hereto as **Exhibits A and B**;

**WHEREAS**, it is in the public interest to resolve the tax appeal pursuant to the terms of the Stipulation of Settlement;

**WHEREAS**, the Township Tax Assessor has been consulted by the Township Attorney with respect to said settlement and has concurred;

**WHEREAS**, statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided that 50% of the tax refund is paid by April 1, 2020 and tax credits are applied in accord with schedule set forth in the stipulations.

**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 settlement in this matter as set forth on **Exhibits A and B** be and the same is hereby approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

**SO RESOLVED**, as aforesaid.

**R-12-2019-326 RESOLUTION AUTHORIZING BUDGET TRANSFERS.**

**WHEREAS**, there are certain 2019 budget appropriations of the Township of Monroe which may be insufficient to meet the requirements of the Township’s affairs; and

**WHEREAS**, there are certain other budget appropriations where there are unexpended balances which will not be used for such purposes; and

**WHEREAS**, Revised Statutes 40A:4-58 provides for the transfer from such accounts that have unexpended balances to those accounts which have deficiencies;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe that the transfers itemized below are hereby authorized among the following 2019 accounts:

<b><u>CURRENT FUND</u></b>	<b><u>TRANSFER</u></b>
<b><u>TRANSFER FROM</u></b>	<b><u>AMOUNT</u></b>
Police Department	\$66,500.00
Salaries & Wages	
<b>TOTAL TRANSFER FROM:</b>	<b>\$66,500.00</b>
<b><u>TRANSFER TO:</u></b>	<b><u>AMOUNT</u></b>
Tax Assessor	\$3,500.00
Salaries & Wages	
Vehicle Maintenance	\$6,300.00
Salaries & Wages	
Office of Senior Services	\$3,000.00
Salaries & Wages	
Elections	\$3,000.00
OE	
Animal Control	\$10,000.00
OE	
Vehicle Maintenance	\$35,000.00
OE	
Transportation	\$5,700.00
OE	
<b>TOTAL CURRENT FUND</b>	<b>\$66,500.00</b>

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 Resolutions Duly Filed.

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Baskin the following Resolution was moved for Adoption and considered separately:

**R-12-2019-317            RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR W&S 1182, 264 FERNHEAD AVE., BLOCK 178, LOTS 29-32 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

**WHEREAS**, Jonkat Construction has posted a Performance Guarantee with the Monroe Township Utility Department (“M.T.U.D.”) for W&S, Blk.178, Lots 29-32; and

**WHEREAS**, Jonkat Construction has requested the release of the Performance Guarantee upon posting and acceptance of a Maintenance Guarantee for water 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 November 20, 2019, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Performance Bond #CT023534 in the amount of \$5,400.00 to be released and replaced with a maintenance guarantee in the amount of \$810.00. (15% of original bond).

Cash Performance Guarantee 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 Block 178, Lots 29-32, Fernhead Avenue be released upon establishment of maintenance guarantees as reflected above and in the M.T.U.D. letter annexed hereto. Release of the Performance Guarantee and acceptance of Maintenance Guarantee is conditioned upon the posting of a Maintenance Guarantee 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.

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 Resolution Duly Filed.

**REPORTS:**

**Mayor’s Report** – Reported that the Police Department participated in “No Shave November” last month which raised \$5,400 for St. Jude’s Research Hospital. In addition, they had a toy drive and delivered a truckload of toys to the Robert Wood Johnson Children’s Hospital. On December 4<sup>th</sup> a new tradition was started with our first tree lighting.

On December 23<sup>rd</sup> at 6:00pm the Menorah lighting will take place.

Mayor Tamburro wished everyone a very enjoyable holiday.

**Administrator's Report** – Happy to see all of the young faces in the audience. Stated that at these meetings is where a lot of important work gets done.

Tonight, a shared services agreement with Fire District 3 for rock salt was approved; shared services are where towns work together to save money. There will be a shared services agreement with Fire District 2 forthcoming and the building on Buckelew Avenue which will house some of our EMS vehicles. Doing this enables us to save a lot of money which is very exciting.

In regards to OPRA, the OPRA legislation in 2001 was enacted to bring more transparency to the public which is very important. The League and the 565 municipalities who deal with OPRA struggle because it has been used and abused, as well as, putting a huge financial burden on the towns. It is imperative that 18 years later the legislators sit down to figure out what works and what does not and fix it. The Township does have a person who handles OPRA and we have purchased software to help streamline the process. Administrator Weinberg mentioned that Councilman Dipierro stated that he had to put in an OPRA request for the police report and dispatch report from a Monroe Township Basketball game which we did put on the agenda for discussion but then Councilman Dipierro requested Council President Dalina to pull it off. He reiterated that we do try to be as transparent as possible.

Mentions the importance of a few of the legal cases we are handling, such as Love's, who is in the business of mulching trees, and explained that the machines used to do this are very loud and residents were concerned that their quality of life was being affected. We have been very successful and they have been found guilty. Our other legal case is with the bald eagle issue in which a bald eagle was found living in the area along the Millstone River where affordable housing townhomes were being built but had to be stopped because of the bald eagle, as the State law reads you cannot build within a 660-foot radius from a bald eagle. The developer wanted to build four story building instead but the Planning Board turned that down and now the developer is suing us.

Reported that the Mayor did not renew the Planning Director's contract for a new term and will be looking for a replacement.

Engineering had a very busy year in getting a lot of streets done and two signature projects that will serve the young people and all of the residents in town, one of which was the Daniel Ryan Concession and ADA Restroom Project and the other being the Prospect Plains Concession and ADA Restroom Project.

**Engineer's Report** – Engineer Rasimowicz commented that this was a good year in which the weather cooperated and enabled for a lot of projects to get done.

Mentioned that on the agenda is a closeout for a lot of these projects including the Daniel Ryan and Prospect Plains Concession and ADA Restroom Projects, as well as, the Phase I and Phase II of the Township Wide Road Paving Project. We also were able to complete the township Guiderail Project and will be looking to closeout the Concrete Sidewalk Program which should be done at the next Council Meeting.

### **Council's Reports:**

#### **Councilman Dipierro** –

- Asked if there was a list of all of the guiderails completed in 2019; Engineer Rasimowicz answered that there is a list and he will provide to the Council as requested. Councilman Dipierro commented that the guiderail on Perrineville Road seems to be damaged and in need of a lot of repairs.
- Commented on Administrator Weinberg's comment about his OPRA requests for reports clarifying that he was asked for a two-week extension to fulfill his request and he did not agree to that request so he said no. He added that a copy of a document should not require a two-week extension in order to fulfill it.
- Reported that he asked the Monroe Township Utility Department for the water and sewer capacity in the Township in which we granted a \$70,000 contract but has yet to receive a report on. Administrator Weinberg responded that the report is anticipated by year end as it is very important to us well. Councilman Dipierro asked if the report would be available to Council or would he have to OPRA it to which Council President Dalina answered that it is to be provided to all of Council.
- Requested a list of Open Space for the next meeting, he believes there are 4 lists floating around.
- Attended the Thanksgiving luncheon at the Senior Center which was great for our residents. Commented that the staff did a great job.
- Commented that there used to be meetings held to go over the agenda but that seemed to stop and asked if that would continue; Council President Dalina responded that the Council can meet with the Administrator to go over agenda items but he attended one and felt it was not productive. Administrator Weinberg responded that he felt the meetings were counterproductive and confrontational and feels more comfortable with any questions to be made in the public. Councilman Dipierro responded that those meetings were held for two years and does not understand why that has changed and he will now bring any questions he has up at the meetings instead.
- On December 12<sup>th</sup>, Fire District 1 will have a tree lighting to be held at the new firehouse, invited the Mayor, Council and all to attend. Also mentioned that on Friday evening there will be a tree lighting at Garvey's and invited all to attend as well.

- Reminded everyone to drive safe and if anyone has questions regarding fire safety, they should contact their fire districts.
- Engineer Rasimowicz added in regards to Councilman Dipierro's question about the guiderails on Perrineville Road that the county is aware and he will follow up to see the status.

**Council Vice-President Schneider:**

- Shared that the Library has literary themed toys, Hanukkah and Christmas gifts for sale if anyone has shopping to do.
- Very impressed with all that the Senior Center does; starting in January they will take appointments for tax preparation.
- Stonebridge Women's Club will be enhancing the Bonnie's Kids School program.
- Thanksgiving luncheon was phenomenal and the volunteers unbelievable.
- During Diwali, 6000 pounds of food was collected and donated to the local food pantry which was very appreciated as hunger is a very passionate cause.

**Councilman Baskin:**

- Attended the Community Garden meeting which had great attendance despite the rain. Everyone is excited for the new greenhouse and to see how it will function. At the March Council meeting, members of the Community Garden will give a report. Reminded anyone who may be interested in a gardening plot that applications are available at the Municipal Building. Also mentioned that the Senior Center is now equipped to take refrigerated items and the Community Garden has four plots to grow produce for the food pantry.
- Reiterated the Mayor's mention of all of the lighting ceremonies happening around town.
- Mentioned the Indian American Club was having its annual celebration.

**Councilwoman Cohen:**

- Stated that in the interest of transparency, any members of council who recuse themselves should mention the reason why.
- The Opera Performance Lecture Series by our Cultural Arts Commission is usually a standing room only event and encouraged everyone to take advantage of not only this event but the other wonderful events held.
- Reminded everyone that the food pantry is always accepting donations.
- Wished everyone a Happy and Healthy Holiday.

**Council President Dalina:**

- Stated that he was approached by Ms. Miley to set up an educational program; more discussion will take place after the holidays in regards to setting that up.
- Announced that the Monroe Township Wolverines and Junior Peewees will be performing in Florida on December 13<sup>th</sup>.
- Municipal offices will be closed on Christmas Day and will reopen on December 26<sup>th</sup> at 8:30am. The offices will also be closed on January 1<sup>st</sup>. The Township's Re-Organization Meeting will be held on January 1<sup>st</sup> at noon at the Senior Center. This meeting is when we will elect a new Council President and Vice President to continue to move Monroe forward.

**Public:**

**Gary Busman, 7 Monarch Rd.** – Mr. Busman added to Councilman Baskin's report on the Community Garden stating that there are 70 unsold sites and the deadline is December 31<sup>st</sup>. He encouraged those interested to fill out an application and deliver to the Municipal Building. Mr. Busman also shared that they have reached out to the Superintendent of Schools to create a curriculum to visit the greenhouse where they could learn to grow plants and vegetables.

**Jennie Ludas, 38 Ridgeview Rd.** – Ms. Ludas congratulated the Mayor, Council President Dalina and Councilwoman Cohen on their reelection and thanked Monroe for being such great neighbors and for their support to Jamesburg. She also wished everyone a happy holiday.

**Lucille DiPasquale, 70 Ave K** – Ms. DiPasquale handed out pictures and discussed the importance of building a monument at Veteran's Park to commemorate all of our fallen soldiers. She explained that the base would be approximately ten feet with three columns on top measuring approximately six feet and each column could note the three conflicts with a center tablet having an eagle and all of the armed forces listed. She added that Veteran's Park is a very intracule part of the community and proposes exploring ways we could make this happen. Ms. DiPasquale stated that she would happily volunteer to be part of a committee to make this happen as she feels it is very important especially to those who fight to protect us.



**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio commented that she was very happy to see so many young people at the meeting tonight.

Mrs. Arminio read aloud a quote from Thomas Jefferson and commented her thoughts on OPRA and OPMA, saying that she knows the League and the Clerk's Association does not like it. She mentions that Loretta Weinberg proposed a bill to the legislature and our own Senator Greenstein abstained from it. Furthermore, she explained that this is not an adverse thing as in trying to curtail the costs associated with OPRA a disservice would be done. She added that the public pays the bill and the information should be accessible. As a real estate agent working in most municipalities, she has been able to walk into the Construction or Tax Office and get answers to the questions she has without having to fill out an OPRA request. This is why there are so many requests being made. She added that this is the money of the taxpayers and the Sunshine Law in government is what keeps us pure and sound so the voluminous requests and money associated with it is a very weak excuse in her eyes. Mrs. Arminio reminded the Council that the information obtained is for their purposes and they have to do their due diligence as well.

Mrs. Arminio mentioned that Councilman Dipierro spoke about meetings held between Council and the Administrator and stated that they are not allowed to do that; Council President Dalina responded that the Council does not meet as a public body and Council Vice-President Schneider added that she should not make accusations. Administrator Weinberg answered that he commends the Clerk's Office and the entire staff for all that they do in getting the public's questions and documents requested out to them. They all do an exceptional job.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that he has only filed one OPRA request in three years and that was to ask the Engineer of the schools what the capacity was. He added that there is a gray area as to the interpretation of the law.

Thanked the Council for attending the Diwali party in which 100 students participated and collected 6,000 pounds of food for the local food pantries.

Thanked Engineer Rasimowicz and everyone involved in getting the Township roadways paved, as well as, thanked the County for the money to go forward and do this.

Thanked the Mayor and Council for all of the work they do.

**Nicholas (student)** – Nicholas asked for more information regarding the mulching issue; Administrator Weinberg responded that residents had come in concerned with their quality of life being disrupted by this operation. Council President Dalina added that some residents came together and attended a Council meeting where they voiced their concerns over the noise and smell and showed pictures. Council felt what was happening was wrong and against our laws so we moved forward to enforce the law and made sure the company was following them.

**Rey Reddington, 670A McCabe Ct.** – Mr. Reddington asked for ten minutes to which Council President Dalina stated that he would be given five minutes like everyone else.

Mr. Reddington stated that in starting Monroe Now he has learned a lot about the community and the secrecy that goes on amongst the Council. He stated the he tried to make an appointment with the Mayor but was told he was busy time and time again and that he should direct his questions to the Public Information Officer. There were also a few incidents, one of which he attended a Cultural Arts event and someone from Affordable Housing asked him if his control panel was a recording device. He has called the Police Department to ask if there was a police blotter in town to which he was told no so he started to OPRA each week a list of police happenings. He noted the Township Clerk had taken that responsibility on for a while and then the Police Department took it over even though he was told by a sergeant that he would not be getting any information. Mr. Reddington also mentions a time when he was at the memorial garden and asked Bonnie Leibowitz for a comment and she told him that she could not speak to him for a story. He also reached out to the food pantry for a story but was directed to the Public Information Officer who then denied his request. Mr. Reddington commented that it seems to be a closed shop here. Lastly, he mentioned that he was told he had to submit an OPRA for old historical photos and was told he could not have the historians phone number. He closed with saying that he sees a pattern.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman had a question regarding R-12-2019-309 asking for clarification on what was being purchased and the quantity; Director Stroin answered that there are a number of different things that need to be purchased for the water and sewer infrastructure adding that he would be happy to go over them with Mr. Gunkelman after the meeting.

Mr. Gunkelman commented that in regards to R-12-2019-287 in the thirty years he has lived in Monroe whenever he had a question, he could go to any department and they would pull the information he requested and he could either sit and review or a copy would be made with no problem. He feels that way was better and does not understand why they felt the need to change the old-fashioned way of doing things and working with the citizens of the Township.

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Baskin the Regular Meeting was Adjourned at 8:25pm.

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: January 8, 2020.