

**** This meeting will be live-streamed and can be viewed at https://youtu.be/4v_LvIzE9bs
Please note remote participation in the public forum is not available. ****

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

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

DECEMBER 6, 2021

AGENDA

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

2. Salute to the Flag.

3. **ROLL CALL:**

Councilman Leonard Baskin
Councilman Charles Dipierro
Councilman Terence Van Dzura
Council Vice-President Elizabeth Schneider
Council President Miriam Cohen

4. Council President Cohen to request the **SUNSHINE LAW** be read into the record.

In accordance with the Open Public Meetings Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice has been provided by the following:

1. Posted on the Bulletin Boards within the Municipal Building on December 29, 2020 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and noticed to the **CRANBURY PRESS** on January 1, 2021;
3. Posted on the Monroe Township website; and
4. Sent to those individuals who have requested personal notice.

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

5. **PROCLAMATIONS:**

CHANUKAH - November 28, 2021 - December 6, 2021

***DRIVE SOBER OR GET PULLED OVER – 2021 END OF YEAR HOLIDAY CRACKDOWN
December 3, 2021 – January 1, 2022***

6. **ORDINANCE(S)** for **SECOND READING** at the December 6, 2021 Regular Meeting:

O-11-2021-022 **ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS REQUIRED FOR THE SIGNALIZATION OF THE INTERSECTION OF OLD BRIDGE ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD PROJECT.**

7. **ORDINANCE(S)** for **INTRODUCTION** at the December 6, 2021 Regular Meeting:

O-12-2021-023 **ORDINANCE AUTHORIZING THE TOWNSHIP TO ACQUIRE, BY DONATION, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 22.17, LOT 6, ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, FOR OPEN SPACE AND OTHER GOVERNMENTAL PURPOSES.**

(land-locked parcel .06 acre north of James Monroe Park/south of Federal Rd)

O-12-2021-024 **ORDINANCE TO ACQUIRE BY NEGOTIATED AGREEMENT, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 78, LOT 1 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY, LOCATED AT 204 DOCKS CORNER ROAD, FOR OPEN SPACE AND OTHER GOVERNMENTAL PURPOSES.**

8. **RESOLUTIONS** for **CONSIDERATION** under **CONSENT AGENDA** at the December 6, 2021 Regular Meeting: (R-12-2021-235 – R-12-2021-262)

R-12-2021-235 **RESOLUTION AUTHORIZING EXPENDITURE FOR THE TREE ESCROW FUND. (Removal of 43 Ash Trees - \$17,905)**

R-12-2021-236 **RESOLUTION AUTHORIZING AND APPROVING A PERSON-TO-PERSON & PLACE-TO-PLACE TRANSFER OF A LIQUOR LICENSE CURRENTLY ISSUED TO LL ONE, LLC.**

(Transfer to Tacos el Tio Monroe, LLC located in Gables Plaza)

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- R-12-2021-239** **RESOLUTION AUTHORIZING THE RELEASE OF THE SAFETY AND STABILIZATION GUARANTEE AND BERM AND LANDSCAPING GUARANTEE, UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE, POSTED FOR MONROE SOLAR FARM – BA-5167-18. (Hoffman Station Road)**
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(Shared Services Agreement with Board of Education - \$1.7 million)
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- R-12-2021-245** **RESOLUTION AUTHORIZING THE CANCELLATION OF TAX REFUNDS AND/OR DELINQUENCIES OF LESS THAN THREE (\$3.00) DOLLARS.**
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- R-12-2021-247** **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 - \$6000)**

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- R-12-2021-249** **RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2022 RECYCLING ENHANCEMENT GRANT APPLICATION TO THE MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT.**
- R-12-2021-250** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR K. HOVNANIAN @ MONROE NJ LLC – ORCHARDS PUMP STATION, W&S 866PS POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (Half Acre Rd.)**
- R-12-2021-251** **RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2020 AUDIT.**
- R-12-2021-252** **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TORO GROUNDMASTER AND (1) TORO INFIELD PRO FROM STORR TRACTOR COMPANY USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$90,623.20)**
- R-12-2021-253** **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2021 CATERPILLAR BACKHOE AND (1) 2022 COMPACT TRACK LOADER FROM FOLEY INCORPORATED USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$249,143.00)**
- R-12-2021-254** **RESOLUTION AUTHORIZING THE BULK PURCHASE OF ROCK SALT WITH MORTON SALT INC. UNDER THE MIDDLESEX COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM.
(December 1, 2021-November 30, 2022 - \$63.55/ton)**
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- R-12-2021-256** **RESOLUTION AUTHORIZING MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO ENTER INTO DEFERRED PAYMENT AGREEMENTS WITH RESIDENTIAL WATER AND SEWER RATEPAYERS FOR PAYMENTS OF ARREARAGES FROM WATER AND SEWER USAGE AND SERVICE CHARGES.**

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- R-12-2021-259** **RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY.** (\$86,000)
- R-12-2021-260** **AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY REDCOM DESIGN & CONSTRUCTION LLC. AND REPLACEMENT OF PERFORMANCE GUARANTEES BY JAGUAR REALTY FOR THE JMJ-4 LLC. BLOCK 55, LOT 4 PROJECT (PB-1219-19).** (16 Abeel Rd.)
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- R-12-2021-262** **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CME ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN AND CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE BFI LANDFILL LEACHATE FORCE MAIN AND PUMP STATION.** (\$399,750.00)

9. **Public Comments.** (Limited to **Agenda items only** - 5 Minutes per Speaker)

OPEN: MOTION: _____ SECOND: _____

CLOSE: MOTION: _____ SECOND: _____

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

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

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**REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

DECEMBER 6, 2021

AGENDA

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

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

2. **MOTION** to approve the payment of **CLAIMS** per run date **December 1, 2021**.

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

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

**O-11-2021-022 ORDINANCE AUTHORIZING THE ACQUISITION BY
NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF
REAL PROPERTY AND/OR PROPERTY INTERESTS
REQUIRED FOR THE SIGNALIZATION OF THE
INTERSECTION OF OLD BRIDGE ENGLISHTOWN ROAD
AND MOUNTS MILLS ROAD PROJECT.**

PUBLIC HEARING OPEN: MOTION: _____ SECOND: _____

PUBLIC HEARING CLOSE: MOTION: _____ SECOND: _____

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

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

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BY DONATION, REAL PROPERTY KNOWN AND
DESIGNATED AS TAX BLOCK 22.17, LOT 6, ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE,
MIDDLESEX COUNTY, NEW JERSEY, FOR OPEN SPACE AND
OTHER GOVERNMENTAL PURPOSES.**

(land-locked parcel .06 acre north of James Monroe Park/south of
Federal Road)

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

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MOTION:_____ SECOND:_____ ROLL CALL: Ayes_____ Nays_____

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

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

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

7. **Administrator’s Report.**

- Best Practices Inventory Discussion

8 **Engineer’s Report.**

9. **Council’s Reports.**

10. **Mayor’s Report.**

11. **Public Comments.** (5 Minutes per Speaker)

OPEN: MOTION: _____ SECOND: _____

CLOSE: MOTION: _____ SECOND: _____

12. **Adjournment.** MOTION: _____ SECOND: _____

Time: _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
MEETING OF THE MONROE TOWNSHIP COUNCIL – December 6, 2021

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

The Combined Agenda/Regular Meeting was Called to Order at 6:30 p.m. by Council President Miriam Cohen with a Salute to the Flag.

UPON ROLL CALL by the Deputy Township Clerk, Tanya Pannucci, the following members of Council were present: Councilman Leonard Baskin, Councilman Charles Dipierro, Councilman Terence Van Dzura, Council Vice-President Elizabeth Schneider and Council President Miriam Cohen.

ALSO, PRESENT: Mayor Stephen Dalina, Business Administrator Alan M. Weinberg, Township Attorney Lou Rainone, Engineer Mark Rasimowicz, Utility Director Joseph Stroin and Alicia Gonzalez.

There were approximately fifteen (15) members of the Public in attendance.

Council President Miriam Cohen requested the Deputy 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 December 29, 2020 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 1, 2021;
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4. Sent to those individuals who have requested personal notice; and

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

Deputy Township Clerk Tanya Pannucci read aloud the proclamations for the month of December noting that November 28, 2021 – December 6, 2021 is Chanukah and the Drive Sober or Get Pulled Over – 2021 End of Year Holiday Crackdown is from December 3, 2021 – January 1, 2022.

Deputy Township Clerk Tanya Pannucci read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, DECEMBER 6, 2021** Regular Council Meeting:

O-11-2021-022

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- R-12-2021-247** **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 - \$6000)
- R-12-2021-248** **RESOLUTION AUTHORIZING THE PURCHASE OF (2) NEW SERVERS, SOFTWARE AND INSTALLATION UNDER NEW JERSEY STATE CONTRACT FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (\$18,679.00)
- R-12-2021-249** **RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2022 RECYCLING ENHANCEMENT GRANT APPLICATION TO THE MIDDLESEX COUNTY DIVISION OF SOLID WASTE MANAGEMENT.**
- R-12-2021-250** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR K. HOVNANIAN @ MONROE NJ LLC – ORCHARDS PUMP STATION, W&S 866PS POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Half Acre Rd.)

- R-12-2021-251** **RESOLUTION DEMONSTRATING COMPLIANCE WITH REGULATIONS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY REGARDING THE 2020 AUDIT.**
- R-12-2021-252** **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TORO GROUNDMASTER AND (1) TORO INFIELD PRO FROM STORR TRACTOR COMPANY USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$90,623.20)**
- R-12-2021-253** **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2021 CATERPILLAR BACKHOE AND (1) 2022 COMPACT TRACK LOADER FROM FOLEY INCORPORATED USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$249,143.00)**
- R-12-2021-254** **RESOLUTION AUTHORIZING THE BULK PURCHASE OF ROCK SALT WITH MORTON SALT INC. UNDER THE MIDDLESEX COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM. (December 1, 2021-November 30, 2022 - \$63.55/ton)**
- R-12-2021-255** **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH DELTA DENTAL OF NEW JERSEY, INC. FOR DENTAL INSURANCE FOR CALENDAR YEAR 2022.**
- R-12-2021-256** **RESOLUTION AUTHORIZING MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO ENTER INTO DEFERRED PAYMENT AGREEMENTS WITH RESIDENTIAL WATER AND SEWER RATEPAYERS FOR PAYMENTS OF ARREARAGES FROM WATER AND SEWER USAGE AND SERVICE CHARGES.**
- R-12-2021-257** **RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTH DEVELOPMENT, INC. (Q.E.D.) FOR THE MONROE TOWNSHIP POLICE DEPARTMENT FOR CALENDAR YEAR 2022. (1 year - \$44,626.00)**
- R-12-2021-258** **RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFERS. (\$5,000)**
- R-12-2021-259** **RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY. (\$86,000)**
- R-12-2021-260** **AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY REDCOM DESIGN & CONSTRUCTION LLC. AND REPLACEMENT OF PERFORMANCE GUARANTEES BY JAGUAR REALTY FOR THE JMJ-4 LLC. BLOCK 55, LOT 4 PROJECT (PB-1219-19). (16 Abeel Rd.)**

R-12-2021-261 RESOLUTION AUTHORIZING A CONTRACT WITH HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR HEALTHCARE INSURANCE AND PRESCRIPTION COVERAGE FOR CALENDAR YEAR 2022.

R-12-2021-262 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO CME ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN AND CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE BFI LANDFILL LEACHATE FORCE MAIN AND PUMP STATION. (\$399,750.00)

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

PUBLIC COMMENTS:

Prakash Parab, 33 Dayna Dr. – Mr. Parab asked for clarification on R-12-2021-241 asking how this shared services agreement works and if we will pull from the Open Space Trust Fund or restructure the bonds; Administrator Weinberg answered that this would be done without debt service at this point and be done with funds from the Open Space Trust Fund.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked in regard to O-12-2021-024 as to what open space criteria is being applied; Administrator Weinberg answered that this is similar to the process done in 2011 for acquiring land.

In regard to R-12-2021-237, Mr. Gunkelman asked what work would be done, noting that he understood that the work was ongoing but wants clarification as to what gets done under this authorization.

In regard to R-12-2021-238, Mr. Gunkelman stated that he was disappointed that we are militarizing the police department; Administrator Weinberg responded that this allows us to participate and have access to a variety of different vendors.

In regard to R-12-2021-240, Mr. Gunkelman asked what is Phase II and asked if the Township fully recovered the funds first.

In regard to R-12-2021-262, Mr. Gunkelman asked if we have considered going out for contracts in a design build mode; Utility Director Joe Stroin answered that this has been considered for different projects but in this particular case because of the complexity and changing elements we had to redesign the project and now we will have our own pump station on a plot of land near the landfill.

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

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

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Van Dzura, the Regular Meeting was Called to Order at 6:47pm.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

UPON MOTION made by Councilman Baskin and seconded by Councilman Van Dzura, the **CLAIMS** per run date of **12/1/2021** were approved for payment as written and presented.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Abstain
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

UPON ACTION made by the Council the following Ordinance was **moved on SECOND READING for FINAL ADOPTION** as follows:

**O-11-2021-022 ORDINANCE AUTHORIZING THE ACQUISITION BY
NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF
REAL PROPERTY AND/OR PROPERTY INTERESTS
REQUIRED FOR THE SIGNALIZATION OF THE
INTERSECTION OF OLD BRIDGE ENGLISHTOWN ROAD
AND MOUNTS MILLS ROAD PROJECT.**

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

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

WHEREAS, pursuant to N.J.S.A. 20:1-1, et seq. the Township has the power to acquire interests in real property through the exercise of the power of eminent domain through condemnation; and

WHEREAS, the Township is working with Middlesex County on the project known as the “SIGNALIZATION OF THE INTERSECTION OF OLD BRIDGE – ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD” roadway improvement project (the “Project”); and

WHEREAS, the Project requires the acquisition of interests in properties in the form of property acquisitions, Right of Way Easements, Drainage and Temporary Construction Easements; and

WHEREAS, the Township desires to acquire interests in certain lands as shown herein:

1. Parcel 1 – RE1 – part of (hereinafter “p/o”) Block 36 Lot 18 located at 570 Englishtown Road consisting of a Right of Way (hereinafter “ROW”) easement of approximately 537 square feet or 0.0123 acres and a Temporary Construction Easement of approximately 576 square feet or 0.0132 acres;
2. Parcel 2 – RE2 – p/o Block 36.01 Lot 25 located at 572 Englishtown Road consisting of a ROW Easement of approximately 805 square feet or 0.0185 acres and Temporary Construction Easements of approximately 165 square feet or 0.0038 acres and approximately 500 square feet or 0.0115 acres;
3. Parcel 3 – RE3 - p/o Block 36.01 Lot 24 located at 576 Englishtown Road consisting of a ROW Easement of approximately 500 square feet or 0.0115 acres and a Temporary Construction Easement of approximately 252 square feet or 0.0058 acres;
4. Parcel 4 – RE4 -p/o Block 36.01 Lot 23 located at 578 Englishtown Road, consisting of a ROW Easement of approximately 577 square feet or 0.0132 acres and Temporary Construction Easements of approximately 48 square feet or 0.0011 acres and approximately 118 square feet or 0.0027 acres;
5. Parcel 5 - RE5- p/o block 36.01 Lot 22 located at 580 Englishtown Road consisting of a ROW Easement of approximately 539 square feet or 0.0124 acres and a Temporary Construction Easement of approximately 181 square feet or 0.0042 acres;
6. Parcel 6 - RE6 – p/o Block 36.01 Lot 21 located at 582 Englishtown Road consisting of a ROW Easement of approximately 558 square feet or 0.0128 acres and a Temporary Construction Easement of approximately 478 square feet or 0.011 acres;
7. Parcel 7 – RE7 – p/o Block 36.01 Lot 20 located at 584 Englishtown Road consisting of a ROW Easement of approximately 559 square feet or 0.0128 acres and Temporary Construction Easements of approximately 223 square feet or 0.0051 acres and 192 square feet or 0.0044 acres;
8. Parcel 8 - RE8 – p/o Block 36.01 Lot 19 located at 586 Englishtown Road consisting of a ROW Easement of approximately 616 square feet or 0.0141 acres;
9. Parcel 9 - RE9 – p/o Block 38 Lot 2 located at 380 Mounts Mills Road consisting of the acquisition of approximately 17,566 square feet or 0.4033 acres and a Permanent Drainage Easement of approximately 7,305 square feet or 0.1677 acres;
10. Parcel 10 – TCE10A and TCE10B - p/o Block 36.01 Lot 18 located at 374 Mounts Mills Road consisting of Temporary Construction Easements of approximately 344 square feet or 0.0079 acres and 107 square feet or 0.0025 acres;
11. Parcel 11- TCE11 – p/o Block 36.01 Lot 16 located at 16 Sarah Lane consisting of a Temporary Construction Easement of approximately 261 square feet or 0.0060 acres;
12. Parcel 12 – TCE12 – p/o block 36.01 Lot 1 located at 1 Sarah Lane consisting of a Temporary Construction Easement of approximately 1749 square feet or 0.0402 acres;
13. Parcel 13 – R13 – p/0 block 54 Lot 1.02 located at 363 Mounts Mills Road consisting of the acquisition of approximately 20,283 square feet or 0.4656 acres and a Permanent Drainage Easement of approximately 3734 square feet or 0.0857 acres.

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

- 1- The acquisition by negotiated agreement or exercise of the power of eminent domain through condemnation of the following interests in properties is hereby authorized for the purposes of the roadway improvement project known as the “SIGNALIZATION OF THE INTERSECTION OF OLD BRIDGE – ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD:
 1. Parcel 1 – RE1 – part of (hereinafter “p/o”) Block 36 Lot 18 located at 570 Englishtown Road consisting of a Right of Way (hereinafter “ROW”) easement of approximately 537 square feet or 0.0123 acres and a Temporary Construction Easement of approximately 576 square feet or 0.0132 acres

2. Parcel 2 – RE2 – p/o Block 36.01 Lot 25 located at 572 Englishtown Road consisting of a ROW Easement of approximately 805 square feet or 0.0185 acres and Temporary Construction Easements of approximately 165 square feet or 0.0038 acres and approximately 500 square feet or 0.0115 acres;
3. Parcel 3 – RE3 - p/o Block 36.01 Lot 24 located at 576 Englishtown Road consisting of a ROW Easement of approximately 500 square feet or 0.0115 acres and a Temporary Construction Easement of approximately 252 square feet or 0.0058 acres;
4. Parcel 4 – RE4 -p/o Block 36.01 Lot 23 located at 578 Englishtown Road, consisting of a ROW Easement of approximately 577 square feet or 0.0132 acres and Temporary Construction Easements of approximately 48 square feet or 0.0011 acres and approximately 118 square feet or 0.0027 acres;
5. Parcel 5 - RE5- p/o block 36.01 Lot 22 located at 580 Englishtown Road consisting of a ROW Easement of approximately 539 square feet or 0.0124 acres and a Temporary Construction Easement of approximately 181 square feet or 0.0042 acres;
6. Parcel 6 - RE6 – p/o Block 36.01 Lot 21 located at 582 Englishtown Road consisting of a ROW Easement of approximately 558 square feet or 0.0128 acres and a Temporary Construction Easement of approximately 478 square feet or 0.011 acres
7. Parcel 7 – RE7 – p/o Block 36.01 Lot 20 located at 584 Englishtown Road consisting of a ROW Easement of approximately 559 square feet or 0.0128 acres and Temporary Construction Easements of approximately 223 square feet or 0.0051 acres and 192 square feet or 0.0044 acres;
8. Parcel 8 - RE8 – p/o Block 36.01 Lot 19 located at 586 Englishtown Road consisting of a ROW Easement of approximately 616 square feet or 0.0141 acres;
9. Parcel 9 - RE9 – p/o Block 38 Lot 2 located at 380 Mounts Mills Road consisting of the acquisition of approximately 17,566 square feet or 0.4033 acres and a Permanent Drainage Easement of approximately 7,305 square feet or 0.1677 acres;
10. Parcel 10 – TCE10A and TCE10B - p/o Block 36.01 Lot 18 located at 374 Mounts Mills Road consisting of Temporary Construction Easements of approximately 344 square feet or 0.0079 acres and 107 square feet or 0.0025 acres
11. Parcel 11- TCE11 – p/o Block 36.01 Lot 16 located at 16 Sarah Lane consisting of a Temporary Construction Easement of approximately 261 square feet or 0.0060 acres;
12. Parcel 12 – TCE12 – p/o block 36.01 Lot 1 located at 1 Sarah Lane consisting of a Temporary Construction Easement of approximately 1749 square feet or 0.0402 acres;
13. Parcel 13 – R13 – p/o block 54 Lot 1.02 located at 363 Mounts Mills Road consisting of the acquisition of approximately 20,283 square feet or 0.4656 acres and a Permanent Drainage Easement of approximately 3734 square feet or 0.0857 acres.

2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiations or condemnation.

3. The Mayor and Clerk are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the interests in the properties listed.

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

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

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

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-11-2021-022** was **open**. All were in favor, none opposed.

No Public Comment.

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-11-2021-022** was **closed**. All were in favor, none opposed.

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

**O-11-2021-022 ORDINANCE AUTHORIZING THE ACQUISITION BY
NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF
REAL PROPERTY AND/OR PROPERTY INTERESTS
REQUIRED FOR THE SIGNALIZATION OF THE
INTERSECTION OF OLD BRIDGE ENGLISH TOWN ROAD
AND MOUNTS MILLS ROAD PROJECT.**

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.
O-11-2021-022

UPON MOTION made by Councilman Baskin 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-12-2021-023 ORDINANCE AUTHORIZING THE TOWNSHIP TO ACQUIRE,
BY DONATION, REAL PROPERTY KNOWN AND
DESIGNATED AS TAX BLOCK 22.17, LOT 6, ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE,
MIDDLESEX COUNTY, NEW JERSEY, FOR OPEN SPACE AND
OTHER GOVERNMENTAL PURPOSES.**

(land-locked parcel .06 acre north of James Monroe Park/south of Federal Road)

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.
O-12-2021-023

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, an Ordinance of which the following is the title was Introduced on First Reading for Final Passage:

**O-12-2021-024 ORDINANCE TO ACQUIRE BY NEGOTIATED AGREEMENT,
REAL PROPERTY KNOWN AND DESIGNATED AS TAX
BLOCK 78, LOT 1 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW
JERSEY, LOCATED AT 204 DOCKS CORNER ROAD, FOR
OPEN SPACE AND GOVERNMENTAL PURPOSES.**

ROLL CALL: Councilman Leonard Baskin	Aye
Councilman Charles Dipierro	Abstain
Councilman Terence Van Dzura	Aye
Council Vice-President Elizabeth Schneider	Aye
Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.
O-12-2021-024

UPON MOTION made by Councilman Baskin and seconded by Councilman Van Dzura the following Resolutions were moved for Adoption under the **CONSENT AGENDA:**
(R-12-2021-235 – R-12-2021-262)

**R-12-2021-235 RESOLUTION AUTHORIZING EXPENDITURE FOR THE
TREE ESCROW FUND. (Removal of 43 Ash Trees - \$17,905)**

WHEREAS, in accordance with Chapter 96 of the Monroe Township Code entitled “Shade Trees and Shrubbery; Landscaping”, a Tree Escrow Fund has been created to hold and disburse fees paid in lieu of tree replanting by developers or property owners removing trees; and

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

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

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

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds within the Tree Escrow Fund in Certificate No.C-2100046, a copy of which is attached hereto as Exhibit B; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe authorizes the expenditure of not more than \$17,905.00 for the removal of approximately 43 Ash trees, when invoices are tendered by RKD, from the Tree Escrow Fund;

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

SO RESOLVED, as aforesaid.

R-12-2021-236

RESOLUTION AUTHORIZING AND APPROVING A PERSON-TO-PERSON & PLACE-TO-PLACE TRANSFER OF A LIQUOR LICENSE CURRENTLY ISSUED TO LL ONE, LLC. (Transfer to Tacos el Tio Monroe, LLC located in Gables Plaza)

WHEREAS, an application has been filed with the Monroe Township Council for a Person-to-Person and Place-to -Place Transfer of Plenary Retail Consumption License No. 1213-33-001-008 heretofore held by LL One, LLC., having no sited place of business as it is a pocket license to Tacos el Tio Monroe, LLC. having a sited premise of Gables Plaza, 211 Applegarth Road, Building F; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees having been paid and the license having been properly renewed for the 2021-2022 licensing term; and

WHEREAS, the applicants are qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicants have disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the said license and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey does hereby authorize and approve the transfer of the aforesaid Plenary Retail Consumption License No. 1213-33-001-008 to Tacos el Tio Monroe, LLC; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to endorse the license certificate as follows:

“This license, subject to all of its terms and conditions, is hereby transferred to Tacos el Tio Monroe, LLC., effective December 6, 2021.”

SO RESOLVED, as aforesaid.

R-12-2021-237

RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN INTER-LOCAL/SHARED SERVICES CONTRACT WITH THE COUNTY OF MIDDLESEX DEPARTMENT OF PUBLIC SAFETY AND HEALTH, OFFICE OF HEALTH SERVICES FOR THE PROVISION OF PUBLIC HEALTH SERVICES. (Year 2022 - \$100,981.50; Year 2023 - \$103,001.13)

WHEREAS, the County of Middlesex has created the Middlesex County Office of Health Services pursuant to N.J.S.A. 26:3A2-1 et seq., to provide an array of public health services; and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey, is desirous of contracting with the County for the furnishing by the County to the Township of Monroe, health services of a technical and professional nature as more fully set forth within the attached form of contract; and

WHEREAS, it is necessary to enact an Inter-Local Services Contract with the County of Middlesex, Department of Public Safety and Health, Office of Health Services, for the Township to benefit from these services; and

WHEREAS, the Township's Certified Municipal Finance Officer has certified in Certificate No. C-2100047, a copy of which is attached hereto, that sufficient funds are available; and

WHEREAS, the Inter-Local Services Contract to be entered into between the Township of Monroe and the County of Middlesex, Department of Public Safety and Health, Office of Health Services, a form of which is annexed hereto, shall have a duration of two (2) years, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, the base cost for the provision of the aforesaid health services for Year 2022 is projected to be \$100,981.50. The cost for Year 2023 is projected to be \$103,001.13.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, and State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to enter into an Inter-local Services Contract with the County of Middlesex, Department of Public Safety and Health, Office of Health Services; and

BE IT FURTHER RESOLVED that, prior to the execution of said Contract, the Township Attorney is authorized to review said Contract as to form and substance, and to make any changes deemed to be necessary and/or appropriate.

SO RESOLVED, as aforesaid.

R-12-2021-238

RESOLUTION AUTHORIZING THE TOWNSHIP OF MONROE THROUGH THE MONROE TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE MONROE TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program (the 1033 "Program") to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies ("LEAs"); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to the municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; 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 Monroe Township Police Department is hereby authorized to enroll in the 1033 Program for one year from January 1, 2022 through December 31, 2022.

BE IT FURTHER RESOLVED that the Monroe Township Police Department is hereby authorized to acquire items of non-controlled property designated “DMIL A” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, storage devices and containers, tools, medial and first aid equipment and supplies, personal protection and supplies, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the Monroe Township Police Department, if it shall become available within the period of time for which this Resolution authorize, based on the needs of the Monroe Township Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Monroe Township Police Department is hereby authorized to acquire the following (DEMIL B through Q” property, if it shall become available within the period of time for which this Resolutions authorizes without restriction; and

BE IT FURTHER RESOLVED that the property available through the Program, “DEMIL B through Q” is attached hereto; and

BE IT FURTHER RESOLVED that the Monroe Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Monroe Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire (1) “DEMIL A” property that may be available through the 1033 Program and (2) “DEMIL B through Q” property both of which that may be available through the 1033 Program during the time period for which this Resolution authorizes, with program participation and all property requests authorization terminating on December 31, 2022.

SO RESOLVED, as aforesaid.

R-12-2021-239

RESOLUTION AUTHORIZING THE RELEASE OF THE SAFETY AND STABILIZATION GUARANTEE AND BERM AND LANDSCAPING GUARANTEE, UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE, POSTED FOR MONROE SOLAR FARM – BA-5167-18. (Hoffman Station Road)

WHEREAS, NJR Clean Energy Ventures III has posted a Safety and Stabilization Guarantee for the Monroe Solar Farm project on Block 49, Lot 18 (BA-5167-18); and

WHEREAS, in conformance with the provisions of the NJ State Municipal Land Use Law relative to project Safety and Stabilization guaranty (N.J.S.A 40:55D-53), it is the recommendation of the Township Engineer that the Township Council release this project’s **Safety and Stabilization Guarantee** in the amount of **\$9,162.94**; and

WHEREAS, NJR Clean Energy Ventures III has posted a Berm and Landscape Guarantee for the Monroe Solar Farm project on Block 49, Lot 18 (BA-5167-18); and

WHEREAS, in conformance with the provisions of the NJ State Municipal Land Use Law relative to project performance guarantee (N.J.S.A 40:55D-53), it is the recommendation of the Township Engineer that the Township Council release this project's **Berm and Landscape Guarantee** in the amount of **\$319,821.14** upon the posting of a maintenance guarantee in the amount of **\$39,977.64**; 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 Monroe Solar Farm project on Block 49, Lot 18 (BA-5167-18), be released as reflected in the Township Engineer's letters dated September 16, 2021, attached hereto.

BE IT FURTHER RESOLVED, no maintenance guarantee is required for the Safety and Stabilization Guarantee.

BE IT FURTHER RESOLVED, the approval for release of the Berm and Landscaping Performance Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$39,977.64**. 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 with the township will be sufficient.

SO RESOLVED, as aforesaid.

R-12-2021-240 RESOLUTION AUTHORIZING THE RELEASE OF CASH PERFORMANCE GUARANTEES POSTED FOR ENCORE PHASE 2 AND PHASE 3, PB-662-99. (Prospect Plains Rd.)

WHEREAS, Kalian Spectrum Monroe, LLC. has posted Performance Guarantees for the Encore, Phase 2 and Phase 3 project (PB-662-99); and

WHEREAS, a request was made for the release of the Cash 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 has recommended release of the Cash 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 Encore, Phase 2 and Phase 3 project (PB-662-99), be released as reflected in the Township Engineer's letter dated November 12, 2021, attached hereto.

SO RESOLVED, as aforesaid.

R-12-2021-241

RESOLUTION DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH THE FUNDING OF THE CONSTRUCTION AND REPLACEMENT OF THE TURF FIELD AND RESURFACING OF THE TRACK AT THE MONROE TOWNSHIP HIGH/MIDDLE SCHOOL. (Shared Services Agreement with Board of Education - \$1.7 million)

WHEREAS, the Township of Monroe, in the County of Middlesex, New Jersey (the “Township”) intends to undertake and finance the construction and replacement of the turf field and the resurfacing of the track and related work at the Monroe Township High/Middle School (the “Project”) and to share the use of such facilities with the Board of Education of the Township of Monroe (the “Board”) pursuant to a Shared Services Agreement; and

WHEREAS, the Township intends to finance such Project with a combination of Open Space Trust Funds not allocated for other Open Space projects and the proceeds derived by the issuance of bonds or bond anticipation notes (the “Debt Obligations”), such combination to be determined at a later date; and

WHEREAS, in order to undertake such Project in a timely manner and in advance of issuing the Debt Obligations, the Township intends to advance funds from the Open Space Trust Fund with the expectation that such funds so advanced in whole or in part, as appropriate, will be reimbursed to the Open Space Trust Fund; and

WHEREAS, the Township reasonably expects that the interest on such Debt Obligations when issued by the Township will be exempt from Federal income taxation; and

WHEREAS, the Township desires to preserve the right to treat an allocation of proceeds of the Debt Obligations to the reimbursement of the Project costs incurred and paid from the funds advance prior to the issuance of the Debt Obligations as an expenditure for such Project to be reimbursed for purposes of Section 103 and 141 through 151, inclusive of the Internal Revenue Code.

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

Section 1. The Township reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Township’s official intent to reimburse the expenditure of Project Costs incurred and paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulations Section 150.2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the project is \$1,700,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations Section 1.148-10 to avoid arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Bonds used to reimburse the Township for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds,” including “sinking funds,” “pledged funds,” of funds subject to a “negative

pledge” (as such terms are defined in Treasury Regulations Section 1.148-1) of the Project Debt Obligations or another issue of debt obligations of the Township, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Project Debt Obligations is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

Section 7. The Shared Services Agreement between the Township and the Board, substantially in the form attached hereto as Exhibit A with changes approved by the Administrator regarding the financing and shared use of the Project, is hereby approved.

Section 8. This resolution will take effect immediately.

SO RESOLVED, as aforesaid.

**R-12-2021-242 RESOLUTION AUTHORIZING REFUND OF TAX
OVERPAYMENTS.**

WHEREAS, the Tax Collector for the Township of Monroe has recommended this Council’s approval to make refunds for tax overpayments in the amount of Eleven Thousand Six Hundred Eighty-Four dollars and Fifty cents (\$11,684.50) for the amounts described on Schedule A and attached hereto

WHEREAS, good cause has been shown.

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

SO RESOLVED, as aforesaid.

**R-12-2021-243 RESOLUTION AUTHORIZING CANCELLATION OF TAX
SALE CERTIFICATE. (Municipal Lien redeemed Block 21.10,
Lot 1)**

WHEREAS, the Township of Monroe is the holder of various Tax Sale Certificates covering certain Blocks and Lots in the Township of Monroe; and

WHEREAS, Redemption has been made to the following Tax Title Lien 21-00004 for the property known as Block 21.10, Lot 1, and assessed to Curtis Mark; and

WHEREAS, the Tax Collector has requested that the aforesaid Tax Sale Certificate now be cancelled of record;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe in the County of Middlesex and State of New Jersey that the Mayor and Clerk are hereby authorized to execute the authorization for cancellation of record for the above Tax Sale Certificate: Tax Title Lien # 21-00004 assessed to Curtis Mark.

SO RESOLVED, as aforesaid.

R-12-2021-244 RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.

WHEREAS, Premiums have been paid for various properties for the purchase of Tax Lien Certificates for properties listed on the Tax Map of the Township of Monroe, in the amount of Two-Hundred Thirty-Seven Thousand Three-Hundred dollars and no cents (\$237,300.00),

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-12-2021-245 RESOLUTION AUTHORIZING THE CANCELLATION OF TAX REFUNDS AND/OR DELINQUENCIES OF LESS THAN THREE (\$3.00) DOLLARS.

WHEREAS, the Township Council of the Township of Monroe, finds and declares that N.J.S.A. 40:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Three (\$3.00) Dollars; and

WHEREAS, the Monroe Township Council further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Three (\$3.00) Dollars; and

WHEREAS, the Monroe Township Council further finds and declares that it is in the best interests of the citizens of the Township of Monroe for the Municipal Tax Collector to be authorized to process the cancellation of tax credits and/or delinquencies of less than Three (\$3.00) Dollars in accordance with N.J.S.A. 40A:5-17-1.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Monroe that the Municipal Tax Collector is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Three (\$3.00) Dollars during the Calendar Year 2021 in accordance with N.J.S.A. 40A:5-17-1.

SO RESOLVED, as aforesaid.

R-12-2021-246 RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON, CARDINAL HEALTH AND AMERISOURCEBERGEN TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS.

WHEREAS, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical

company Johnson & Johnson and the United States' three largest pharmaceutical distributors – McKesson, Cardinal Health, and AmerisourceBergen – to resolve claims involving their roles in fomenting the country's opioid crisis; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, but will also provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, participation by a significant number of states, county, and municipal governments nationwide in the settlements and agreement to the proposed terms is necessary in order for the settlements to take effect; and

WHEREAS, provided enough states opt to participate in the settlements, their subdivisions (i.e. county and municipal governments) will have through January 2, 2022 to join; and

WHEREAS, it is in the best interests of the Township and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the future.

NOW, THEREFORE, BE IT RESOLVED on this 6th day of December, 2021, by the Township Council of the Township of Monroe (the "Council") that:

1. The Mayor, Township Clerk, and Business Administrator are hereby authorized to sign any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis without further authorization by the governing body; and
2. The Township Clerk shall forward a copy of this Resolution to the Office of The Attorney General and the New Jersey League of Municipalities.

SO RESOLVED, as aforesaid.

R-12-2021-247 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 - \$6000)

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 2021 in the sum of \$6,000.00, 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 \$6,000.00 is hereby appropriated under the caption:

**“2021 DRIVE SOBER OR GET PULLED OVER
YEAR END HOLIDAY CRACKDOWN”**

SO RESOLVED, as aforesaid.

**R-12-2021-248 RESOLUTION AUTHORIZING THE PURCHASE OF (2) NEW
SERVERS, SOFTWARE AND INSTALLATION UNDER NEW
JERSEY STATE CONTRACT FOR THE MONROE TOWNSHIP
POLICE DEPARTMENT. (\$18,679.00)**

WHEREAS, the Township of Monroe, County of Middlesex, has the immediate need to purchase two (2) new servers, software and installation of the same under the NJ State Contract No. M0483, Agreement No. TELE00656 from **Dell Marketing.**, an authorized vendor under the NJ State Contract, for the Monroe Township Police Department for the purchase price of Eighteen thousand six-hundred seventy-nine dollars (**\$18,679.00**); and

WHEREAS, the two (2) new servers, software and installation will be purchased from Dell Marketing, One Dell Way, Bldg. 8, Box 872, Round Rock, TX 78682 as per the attached quotes; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Purchase Order No. 21002942, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that Dell Marketing is hereby awarded the contract for the purchase of two (2) new servers, software, and installation at the total contract price of Eighteen thousand six-hundred seventy-nine dollars (**\$18,679.00**).

SO RESOLVED, as aforesaid.

**R-12-2021-249 RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2022
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.

SO RESOLVED, as aforesaid.

R-12-2021-250 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR K. HOVNANIAN @ MONROE NJ LLC – ORCHARDS PUMP STATION, W&S 866PS POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (Half Acre Rd.)

WHEREAS, K. Hovnanian @ Monroe NJ, LLC has posted a Performance Guarantee with the Monroe Township Utility Department (“M.T.U.D.”) for W&S 866PS, Orchards Pump Station (PB-888-04); and

WHEREAS, K. Hovnanian @ Monroe NJ, LLC 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 24, 2021, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Performance Bond #1026290 in the amount of \$280,908.00 to be released and replaced with a maintenance guarantee in the amount of \$140,454.00 (15% of original bond).

Reduced Cash Performance Guarantee in the amount of \$31,212.00 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 K. Hovnanian @ Monroe NJ LLC, 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.

**R-12-2021-251 RESOLUTION DEMONSTRATING COMPLIANCE WITH
REGULATIONS OF THE LOCAL FINANCE BOARD OF THE
STATE OF NEW JERSEY REGARDING THE 2020 AUDIT.**

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

WHEREAS, the Annual Report of Audit for Year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk, pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

SO RESOLVED, as aforesaid.

R-12-2021-252 RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TORO GROUNDMASTER AND (1) TORO INFIELD PRO FROM STORR TRACTOR COMPANY USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$90,623.20)

WHEREAS, the Monroe Township Public Works Department has the need for one (1) Toro Groundmaster 4000D Model 30609 and (1) Toro Infield Pro 3040 for the Parks Department; and

WHEREAS, the State Approved Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program (Cooperative 65MCESCCPS) has awarded a contract to Storr Tractor Company, 3191 Route 22 Somerville, N.J. 08876 for this equipment under its contract number ESCNJ 18/19-25 for the purchase as follows:

Toro Groundmaster 4000D including canopy -	\$69,005.60
Toro Infield Pro 3040 including accessories -	\$21,617.60
Total -	\$90,623.20

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, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate No. C-2100048 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 Public Works Department to purchase said Toro Groundmaster and Toro Infield Pro from Storr Tractor Copany using the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program contract 18/19-25; and
- (2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices to Storr Tractor Company for the above purchase; and
- (3) The contracts are awarded through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program (Cooperative 65MCESCCP) are considered fair and open contract in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

SO RESOLVED, as aforesaid.

R-12-2021-253 RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2021 CATERPILLAR BACKHOE AND (1) 2022 COMPACT TRACK LOADER FROM FOLEY INCORPORATED USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP PUBLIC WORKS DEPARTMENT. (\$249,143.00)

WHEREAS, the Monroe Township Public Works Department has the need for one (1) 2021 Caterpillar Backhoe and (1) 2022 Compact Track Loader for the Roads Department; and

WHEREAS, the State Approved Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program (Cooperative 65MCESCCPS) has awarded a contract to Foley Incorporated 855 Centennial Avenue P.O. Box 1555 Piscataway, N.J. 08855 for this equipment under its contract number ESCNJ 18/19-25 for the purchase as follows:

2021 Caterpillar 420XEIT Backhoe -	\$159,283.00
2022 Compact Track Loader 279d3 -	\$ 89,860.00
Total -	\$249,143.00

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, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate No. C-2100049 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 Public Works Department to purchase said 2021 Caterpillar Backhoe and 2022 Compact Track Loader from Foley Incorporated using the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program contract 18/19-25; and

(2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices to Foley Incorporated for the above purchase; and

(3) The contracts are awarded through the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program (Cooperative 65MCESCCP) are considered fair and open contract in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

SO RESOLVED, as aforesaid.

**R-12-2021-254 RESOLUTION AUTHORIZING THE BULK PURCHASE OF
ROCK SALT WITH MORTON SALT INC. UNDER THE
MIDDLESEX COUNTY COOPERATIVE CONTRACT
PURCHASING SYSTEM.**

(December 1, 2021-November 30, 2022 - \$63.55/ton)

WHEREAS, the Township of Monroe, County of Middlesex, is a member of the Middlesex County Cooperative Contract Purchasing System; and

WHEREAS, the Board of Chosen Freeholders of the County of Middlesex entered into an agreement for Furnishing and Delivery of Treated Rock Salt with Morton Salt, Inc., 444 West Lake Street, Suite 3000, Chicago, IL. 60606, effective on December 1, 2021 through November 30, 2022; and

WHEREAS, the Township of Monroe wishes to utilize Morton Salt, Inc. for Furnishing and Delivery of Treated Rock Salt immediately and expiring November 20, 2022, under the Middlesex County Cooperative Contract Purchasing System Bid B-21-560 as follows:

<u>Bid No.</u>	<u>Bid/Contract Title</u>	<u>Pricing Info.</u>
B-21-560	Furnishing and Delivery of Treated Rock Salt	\$63.55 /ton

; and

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

WHEREAS, the Certified Municipal Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2100050, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Morton Salt, Inc. for the bulk purchase of rock salt for the Township of Monroe effective immediately and expiring on November 30, 2022.

SO RESOLVED, as aforesaid.

**R-12-2021-255 RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT
WITH DELTA DENTAL OF NEW JERSEY, INC. FOR DENTAL
INSURANCE FOR CALENDAR YEAR 2022.**

WHEREAS, pursuant to N.J.S.A. 40A:11-5 that Monroe Township and the Monroe Township Utility Department ("M.T.U.D.") may procure a professional service without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Delta Dental of New Jersey, Inc., 1639 Route 10, Parsippany, NJ 07054 has prepared a proposal and schedule of rates and services which shall be the basis for payment for Dental Insurance; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq. the Township desires to retain Delta Dental of New Jersey, Inc. as the Dental provider, this Contract will be for a period of one year effective January 1, 2022 until December 31, 2022; and

WHEREAS, said services provided by Delta Dental of New Jersey, Inc. would be subject to contracting requirements for Extraordinary Unspecified Services pursuant to N.J.A.C. 5:34-2.1 et seq. only if they exceed the threshold amount established by N.J.S.A. 40A:11-3; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget in the amount of \$307,000.00, as evidenced by Certificate No. C-2100051, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township's Certified Municipal Finance Officer has further determined that sufficient funds are available in the Township Utility budget in the amount of \$52,000.00, as evidenced by Certificate No. M-210026, copy of which is attached hereto as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County Middlesex, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute a contract with Delta Dental of New Jersey, Inc. for Dental Insurance for Calendar Year 2022.

SO RESOLVED, as aforesaid.

R-12-2021-256 RESOLUTION AUTHORIZING MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO ENTER INTO DEFERRED PAYMENT AGREEMENTS WITH RESIDENTIAL WATER AND SEWER RATEPAYERS FOR PAYMENTS OF ARREARAGES FROM WATER AND SEWER USAGE AND SERVICE CHARGES.

WHEREAS, because of the COVID-19 public health emergency, Executive Order 229, extended by P.L. 2021, c. 103, prohibits local governments from collection of penalties or interest on late or otherwise delinquent water payments from residential accounts or accounts primarily serving residential customers until after January 1, 2022; and

WHEREAS, pursuant to P.L. 2021, c. 97, utilities must notify ratepayers of any COVID-19 related relief measures, including any deferred bill payment agreements for residential ratepayers, and such deferred payment agreements must comply with N.J.S.A. 54:5-19; and

WHEREAS, the Township Council seeks to authorize M.T.U.D. to enter into deferred payment agreements with residential water and sewer ratepayers experiencing a financial hardship, for the payment of arrearages from residential water and sewer usage and service charges, where feasible and practicable, subject to requirements and restrictions imposed by the laws and Executive Orders in the State of New Jersey; and

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey authorizes M.T.U.D. to enter into deferred payment agreements with residential water and sewer ratepayers experiencing a financial hardship for the payment of arrearages from residential water and sewer usage and service charges, under the following conditions:

- (1) Deferred payment agreements for residential ratepayers’ arrearages, plus any interest and penalties permitted by law, must be paid in equal monthly installments, and may not extend longer than three years; and
- (2) The residential ratepayer must remain current on all water and sewer usage and service charges in addition to making arrearage payments pursuant to a deferred payment agreement; and
- (3) In the case that any installment payment is not paid within thirty days after its due date pursuant to a deferred payment agreement, M.T.U.D. may void any such agreement and may take all collection actions permissible by law.

SO RESOLVED, as aforesaid.

**R-12-2021-257 RESOLUTION AUTHORIZING AN ANNUAL SOFTWARE MAINTENANCE AGREEMENT WITH QUEUES ENFORTH DEVELOPMENT, INC. (Q.E.D.) FOR THE MONROE TOWNSHIP POLICE DEPARTMENT FOR CALENDAR YEAR 2022.
(1 year - \$44,626.00)**

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 2022 shall not exceed Forty Four Thousand, Six Hundred Twenty Six dollars (**\$44,626.00**); and

WHEREAS, the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2100052, 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, 2022 through December 31, 2022, with **Q.E.D., Inc., 400 Tradecenter Drive, Suite 5900, Woburn, MA 01801** in an amount not to exceed Forty Four Thousand, Six Hundred Twenty Six dollars (**\$44,626.00**).

SO RESOLVED, as aforesaid.

**R-12-2021-258 RESOLUTION AUTHORIZING BUDGET APPROPRIATION
 RESERVE TRANSFERS. (\$5,000)**

WHEREAS, there are certain 2021 budget appropriation reserves 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 appropriation reserves where there are unexpended balances which will not be used for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 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 2021 accounts:

<u>CURRENT FUND TRANSFER FROM</u>	<u>TRANSFER AMOUNT</u>
Emergency Management OE	<u>\$5,000.00</u>
TOTAL CURRENT FUND:	\$ 5,000.00
<u>TRANSFER TO:</u>	<u>AMOUNT</u>
Elections OE	<u>\$5,000.00</u>
TOTAL CURRENT FUND:	\$5,000.00

SO RESOLVED, as aforesaid.

**R-12-2021-259 RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS
AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE
MONROE TOWNSHIP LIBRARY. (\$86,000)**

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

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

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

WHEREAS, the total purchase amount is \$86,000.00; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-200054, a copy of which is attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe hereby authorizes the purchase of books and materials for the Monroe Township Library in the amount of \$86,000.00;

SO RESOLVED, as aforesaid.

**R-12-2021-260 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES
POSTED BY REDCOM DESIGN & CONSTRUCTION LLC. AND
REPLACEMENT OF PERFORMANCE GUARANTEES BY
JAGUAR REALTY FOR THE JMJ-4 LLC. BLOCK 55, LOT 4
PROJECT (PB-1219-19). (16 Abeel Rd.)**

WHEREAS, Redcom Design & Construction LLC. (JMJ-4 LLC), the original applicant for the Block 55, Lot 4, 16 Abeel Rd., PB-1219-19 project, has posted performance guarantees as follows: Performance Guarantee – \$18,113.38; Berm & Landscaping Guarantee - \$50,478.38, Safety and Stabilization Guarantee - \$5,000.00; and

WHEREAS, Redcom Design & Construction LLC. (JMJ-4 LLC), has since sold the project to Jaguar Realty, LLC.; and

WHEREAS, Jaguar Realty, LLC. has posted replacement performance, berm and landscaping and safety and stabilization guarantees for the Block 55, Lot 4, 16 Abeel Rd., PB-1219-19 project which have been found legally sufficient by the Township Attorney; and

WHEREAS, a request has been made by Redcom Design & Construction LLC. to release their performance guarantees associated with this project; and

WHEREAS, the Township Engineer's office, by copy of letter dated December 1, 2021, recommends release of Redcom Design & Construction LLC. Performance Guarantees posted for the Block 55, Lot 4, 16 Abeel Rd., PB-1219-19 project.

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 as well as inspection escrow funds posted by Redcom Design & Construction LLC. for the Block 55, Lot 4, 16 Abeel Rd., PB-1219-19 project be released, as reflected in the Township Engineer's letter annexed hereto and the performance guarantees posted by Jaguar Realty LLC. shall replace Redcom Design & Construction LLC. performance guarantees for this project.

SO RESOLVED, as aforesaid.

**R-12-2021-261 RESOLUTION AUTHORIZING A CONTRACT WITH HORIZON
BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR
HEALTHCARE INSURANCE AND PRESCRIPTION
COVERAGE FOR CALENDAR YEAR 2022.**

WHEREAS, pursuant to N.J.S.A. 40A:11-5 that Monroe Township and the Monroe Township Utility Department ("M.T.U.D.") may procure a professional service without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Horizon Blue Cross Blue Shield of New Jersey ("Horizon BCBSNJ"), 1427 Wyckoff Road, Wall, NJ 07727 has prepared a proposal and schedule of rates and services which shall be the basis for payment for Healthcare Insurance; and

WHEREAS, in accordance with the Local Public Contracts Law Regulations N.J.A.C. 5:34-1 et seq. the Township desires to retain Horizon BCBSNJ as the Healthcare provider, this Contract will be for a period of one (1) year effective January 1, 2022 until December 31, 2022; and

WHEREAS, said services provided by Horizon BCBSNJ would be subject to contracting requirements for Extraordinary Unspecified Services pursuant to N.J.A.C. 5:34-2.1 et seq. only if they exceed the threshold amount established by N.J.S.A. 40A:11-3; and

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available in the Township budget per attached unit pricing, as evidenced by Certification No. C-2100053, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township's Certified Municipal Finance Officer has further determined that sufficient funds are available in the Township Utility budget, per attached unit pricing, as evidenced by Certification No. M-210027, a copy of which is attached hereto as Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County Middlesex, State of New Jersey, that the Business Administrator is hereby authorized to execute the Prescription Rate Renewal Summary and Health Rate Renewal Summary with Horizon BCBSNJ Insurance for Healthcare services and prescription coverage for Calendar year 2022.

SO RESOLVED, as aforesaid.

**R-12-2021-262 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO
CME ENGINEERING, INC. FOR PROFESSIONAL
ENGINEERING SERVICES FOR THE FINAL DESIGN AND
CONSTRUCTION PHASE SERVICES IN CONNECTION WITH
THE BFI LANDFILL LEACHATE FORCE MAIN AND PUMP
STATION. (\$399,750.00)**

WHEREAS, the Township of Monroe seeks professional engineering services in connection with the final design and construction phase services for the BFI Landfill Leachate Force Main and Pump Station; and

WHEREAS, CME Engineering, Inc. possesses the technical expertise required to perform said professional engineering consulting services for this project; and

WHEREAS, the fees for such services will not exceed three hundred ninety nine thousand seven hundred fifty dollars (**\$399,750.00**); and

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

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

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with ***CME Engineering Inc., 3759 Highway 1 South, Suite 100, Monmouth Junction, NJ 08852***, in accordance with the Agreement annexed hereto;
- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by CME Engineering, Inc. for the professional engineering services in connection with the final design and construction phase services for the BFI Landfill Leachate Force Main and Pump Station in an amount not to exceed three hundred ninety nine thousand seven hundred fifty dollars (**\$399,750.00**);
- (3) The Contract is awarded with the stipulation that ***CME Engineering, Inc.*** shall include within the Contract Mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;
- (4) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

Copy of Resolutions Duly Filed.

Administrator’s Report – Gave an overview of the Best Practices Inventory, highlighting that we have received 22.5 points which is very well.

Thanked the CFO, Mayor and Council for their hard work on the audit.

Thanked the Mayor and Council for moving forward on the land acquisitions for the Mounts Mills and Old Bridge-Englishtown Road project.

Updated the progress with the BFI landfill, noting that we are moving forward with a contractor and construction phase which has been a priority for the Mayor and Council.

Gave a brief overview of the Energy Aggregation.

Happy to announce that we have received a grant for the Spotswood Gravel Hill Road paving and improvements project.

Shared that we are moving forward with the inclusive ADA playground at the soccer complex, with the bid opening being held on December 10th.

Reminded everyone that many of our employees work outside and thanked them for all of their hard work in doing so.

Engineer's Report – Reported that the bid opening for the ADA accessible playground will be held on December 10th.

Working with the police department regarding street light outages and urged those with outages to report them to either JCP&L or his office. Council President Cohen asked how long it usually takes for a response to which Engineer Rasimowicz answered that it could be 2 days or 2 months as there is no concrete timeline. Council Vice-President Schneider asked who the liaison is to which Administrator Weinberg answered Tina Early who is based in Old Bridge.

Council's Reports –

Councilman Baskin –

- Wished everyone a happy and safe holiday.
- Commented that Engineer Rasimowicz explained to him that the flashing light on Federal Road near the Gables is somewhat delayed due to supply issues but assured that it will be installed as soon as supplies are procured.

Councilman Van Dzura –

- Attended the Recreation Center's car parade and holiday tree and menorah lighting. Also attended the menorah lighting on Perrineville Road which were all nice community events.
- Reported that the Master Plan is almost ready for the next phase and hopefully can begin to move forward within the next few months.
- Encouraged Council to consider renewable energy sources as we move forward with the Master Plan.
- Reported that a resident reported issues with Comcast and suggested a municipal broadband.
- Noted that a resident reported an issue with the puddling of water on Jeremy Court and asked for it to be addressed.

Council Vice-President Schneider –

- Reported that the Senior Center has been busy with over 5,081 programs being offered in November, as well as, 213 residents with social services, 328 transportation trips which has doubled since August and 705 new members.

- Thanked the Regency Cultural Club for donating over 200 turkeys for Thanksgiving for the food pantry.
- Attended the Choir performance in November which was a very happy occasion.

Councilman Dipierro –

- Attended the Choir performance as well and noted they did a tremendous job.
- Attended the menorah lighting on November 28th which was supported by Station 51.
- Attended the holiday parade and commented that the Mayor looked good driving the convertible he was in.
- Asked for an update on the transportation for special needs residents; Administrator Weinberg answered that it is being worked on and have met with interested parties. He added that we will be putting items in the budget to move forward.
- Commented that we have been waiting for JCP&L to put lights up on some municipal roadways, as well as the promised lighting outside of the municipal building and asked for an update.
- Asked if we could get a new bid in place for the hot tar machine that the DPW uses.

Council President Cohen –

- Shared that this Sunday a performance sponsored by the Cultural Arts Commission was held by the Tamburitzans.

Mayor's Report – Mayor Dalina noted that Covid cases are currently on the rise and reminded everyone that if you need a vaccine there are plenty of opportunities available around Monroe noting that our Township website has a detailed list of available vaccine sites.

Thanked the Council for approving the shared services agreement with the Board of Education.

Regarding the Master Plan, Mayor Dalina commented that the survey program was successful and now the consultants will be going through the results, which can be found on www.publicinput.com/monroemp. He stated that we will reach back out to the Master Plan Committee and Stakeholder Committee in regards to the results sometime in January and once recommendations are made it will go before the Planning Board with a public forum and review. He noted that there are opportunities for review and discussion during the public meetings.

Shared that an action committee has been established for the transportation needed for disabled residents throughout the Township and added that something will be added to the budget and presented in March.

Reminded everyone that tomorrow is Pearl Harbor Day.

Attended the Menorah lighting and thanked Rabbi Z for allowing him to go up in the ladder truck to light the first candle. He also extended thanks to the residents, Council, police and Station 51.

December 1st was the holiday car parade which was well attended and thanked the Recreation staff and Station 51 for pulling off the event.

Currently our Wolverine cheerleaders are in Florida for competition and he is proud to report that the Mighty Mites have won the National Championship.

Thanked the Indians for Civic Action for their Diwali food drive.

Wished everyone a Happy Chanukah, Kwanzaa and Merry Christmas and Happy New Year.

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

PUBLIC COMMENTS:

Tim Eosso, 2 Allison Ct. – Mr. Eosso stated that he attended the Zoning Board meeting a few weeks ago and asked if the Planning Board and Zoning Board members appointed; commented that with the new variant he asked if the meetings could be streamed via livestream or ZOOM and was told no. He requested for the meetings to be made available via ZOOM or livestream. Attorney Rainone answered that the rules for the Planning Board and Zoning Board are different from Council as there are hearings and such and Council has no control over how the Planning Board or Zoning Board meetings are conducted. Mayor Dalina added that we will look into the potential of livestreaming such meetings.

Mr. Eosso commented that he is clearly disappointed and the police department, including Chief Biennas, and requested that Mayor Dalina look further into the reports that are approved by the Police Department. He noted that he is extremely disappointed in how he and his family were treated in a recent report. Attorney Rainone commented that the Civilian Public Safety Director has no legal right to review the police reports in a municipality with a police chief and stated that the Mayor is specifically prohibited from requesting such reports.

Prakash Parab, 33 Dayna Dr. – Mr. Parab commented that Engineer Rasimowicz mentioned a playground and asked where it will be located; Engineer Rasimowicz answered that it is an ADA accessible playground located at the Soccer Complex.

Thanked the Mayor for the recognition and stated that he appreciates all of the organizations that donate food to the local pantries.

Commented that in the digital world we are living in, he is happy to see the Council meetings are livestreamed and would appreciate if the questions asked would only be from those attending in person.

Michelle Arminio, 9 Nathaniel St. – Mrs. Arminio thanked the Mayor on behalf of all the children of Monroe, as well as, the district staff and Board of Education and appreciates the communication throughout the year and noted that going forward it would be a lovely era of collaboration between the Board of Education and the Township. She also added that it has been a pleasure and honor to work with Mayor Dalina so far and she has faith in what he is willing to do for the community.

Mrs. Arminio asked in regard to O-12-2021-023 and O-12-2021-024 why we would need to purchase under open space and why does it have to be listed for other governmental purposes as that nomenclature is always her issue as she believes open space should be passive. Administrator Weinberg answered that O-12-2021-023 is a donation of a paper street that pays nominal taxes and Attorney Rainone answered that the “governmental purposes” wording is merely legal nomenclature. He noted that many of the properties purchased with open space funds are dedicated as open space.

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

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 7:42pm.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Charles Dipierro	Aye
	Councilman Terence Van Dzura	Aye
	Council Vice-President Elizabeth Schneider	Aye
	Council President Miriam Cohen	Aye

Tanya Pannucci

TANYA PANNUCCI, Township Deputy Clerk

Miriam Cohen

MIRIAM COHEN, Council President

Minutes were adopted on: December 27, 2021.