

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**

JUNE 24, 2019

AGENDA

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

2. Salute to the Flag.

3. **ROLL CALL:**

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

4. Council President Dalina to request the following **SUNSHINE LAW** be read into the record:

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

1. Posted on the Bulletin Boards within the Municipal Building on January 2, 2019 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 4, 2019;
3. Posted on the Monroe Township website; and
4. Sent to those individuals who have requested personal notice.

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

5. **ORDINANCE(S)** for **SECOND READING** at the Monday, June 24, 2019 Regular Meeting:

O-6-2019-017 **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, ENTITLED "VEHICLES AND TRAFFIC".**
(Adding Bus Stops on Applegarth Road/Gateway Blvd.)

O-6-2019-018 **ORDINANCE ACCEPTING DEED OF DRAINAGE EASEMENT FROM JAMES AND MARIA NETO, BLOCK 68, LOT 41.28.**
(49 Lower Matchaponix Avenue)

O-6-2019-019 **ORDINANCE ACCEPTING DEED OF CONSERVATION EASEMENT FROM S & G PAVING, INC., BLOCK 78, LOT 20.02**

O-6-2019-020 **ORDINANCE ACCEPTING DEED OF WATER AND SEWER EASEMENTS FROM MICHAEL SEIXEIRO AND RONALD & JOANNE COOK, BLOCK 78, LOTS 20.02 AND 3.**

O-6-2019-021 **BOND ORDINANCE PROVIDING FOR VARIOUS 2019 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,130,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$1,130,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

O-6-2019-022 **BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,040,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$990,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

O-6-2019-023 **AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2019 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

6. **RESOLUTIONS for CONSIDERATION under CONSENT AGENDA at the Monday, June 24, 2019 Regular Meeting: (R-6-2019-169 – R-6-2019-196)**

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(2019 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund - \$562.62)

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(Additional \$15,000)

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(Adding Cranbury Station Rd. - \$1993.00)

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- R-6-2019-178** RESOLUTION APPOINTING FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND.
- R-6-2019-179** RESOLUTION AUTHORIZING TAX OVERPAYMENTS.
- R-6-2019-180** RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER OF CT07 SPII LLC. AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (\$7500)
- R-6-2019-181** RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEE. (\$42.00)
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- R-6-2019-184** RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CAMELOT NEIGHBORHOOD PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.
- R-6-2019-185** RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COSTCO DRIVE ROADWAY IMPROVEMENTS PROJECT.
- R-6-2019-186** RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MUNICIPAL COURT JUDGE.
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- R-6-2019-193** RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE CLUBHOUSE OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

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R-6-2019-195 **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 1, SECTION 6 OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**

R-6-2019-196 **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 2, SECTION 8A OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**

7. Public. (5 Minutes per Speaker)

8. Agenda Meeting Adjournment. Time: _____

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**REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

JUNE 24, 2019

AGENDA

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

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

2. **PRESENTATIONS –**

Honoring Sergeant Robert Bell of the Monroe Twp. Police Department, on his Retirement – 25 years

3. **MOTION** to approve the payment of **CLAIMS** per run date 06/20/2019.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

4. **APPROVAL OF MINUTES:**

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

June 5, 2019 - Combined Regular and Agenda Meeting

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

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

**O-6-2019-017 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF
THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY,
ENTITLED “VEHICLES AND TRAFFIC”.
(Adding Bus Stops on Applegarth Road/Gateway Blvd.)**

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

O-6-2019-018 **ORDINANCE ACCEPTING DEED OF DRAINAGE EASEMENT FROM JAMES AND MARIA NETO, BLOCK 68, LOT 41.28.**
(49 Lower Matchaponix Avenue)

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

O-6-2019-019 **ORDINANCE ACCEPTING DEED OF CONSERVATION EASEMENT FROM S & G PAVING, INC., BLOCK 78, LOT 20.02**

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

O-6-2019-020 **ORDINANCE ACCEPTING DEED OF WATER AND SEWER EASEMENTS FROM MICHAEL SEIXEIRO AND RONALD & JOANNE COOK, BLOCK 78, LOTS 20.02 AND 3.**

MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

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MOTION: _____

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ROLL CALL: Ayes _____ Nays _____

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MOTION: _____

SECOND: _____

PUBLIC HEARING/DISCUSSION

ROLL CALL: Ayes _____ Nays _____

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MOTION: _____

SECOND: _____

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MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

7. Mayor's Report.

8. Administrator's Report.

9. Engineer's Report.

10. Council's Reports.

11. Public. (5 Minutes per Speaker)

12. Adjournment. Time: _____

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
COMBINED AGENDA/REGULAR MEETING – JUNE 24, 2019

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 Stephen Dalina with a Salute to the Flag.

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

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

There were approximately seventeen (17) 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;
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- | | |
|---------------------|--|
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- R-6-2019-181** RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEE. (\$42.00)
- R-6-2019-182** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND POPS FARM MARKET AND GARDEN CENTER, LLC. FOR THE LEASE OF PROPERTY KNOWN AS BLOCK 15.21, LOTS 1, 13 AND 25.3.
- R-6-2019-183** RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH W.B. MASON FOR MONROE TOWNSHIP CUSTODIAL SUPPLIES.
- R-6-2019-184** RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CAMELOT NEIGHBORHOOD PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.
- R-6-2019-185** RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COSTCO DRIVE ROADWAY IMPROVEMENTS PROJECT.
- R-6-2019-186** RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MUNICIPAL COURT JUDGE.
- R-6-2019-187** RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH DOT DESIGNING LLC. FOR MONROE TOWNSHIP SHIRTS AND HATS.
- R-6-2019-188** RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH JAMESBURG PRESS FOR MONROE TOWNSHIP PRINTING SERVICES (GROUPS A & B).
- R-6-2019-189** RESOLUTION AUTHORIZING AWARD OF BID TO MECO, INC. FOR THE DANIEL ROAD & 10TH STREET PEDESTRIAN & ROADWAY IMPROVEMENTS PROJECT. (\$531,353.00)
- R-6-2019-190** RESOLUTION OF AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR THE EMS ROOF PROJECT AND RE-ADVERTISING FOR RECEIPT OF BIDS.
- R-6-2019-191** RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND MICHAEL J. BIENNAS WHO SHALL SERVE AS CHIEF OF POLICE.
- R-6-2019-192** RESOLUTION AUTHORIZING AWARD OF BID TO Z BROTHERS CONCRETE CONTRACTORS FOR THE SCHOOLHOUSE ROAD IMPROVEMENTS PROJECT. (\$455,841.19)
- R-6-2019-193** RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE CLUBHOUSE OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

- R-6-2019-194** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 1, SECTION 1 SITEWORK OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**
- R-6-2019-195** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 1, SECTION 6 OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**
- R-6-2019-196** **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 2, SECTION 8A OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**

Councilman Baskin stated that in the interest of full disclosure regarding Resolutions R-6-2019-193 through R-6-2019-196, he is a resident of Stonebridge and he did speak with the Township Attorney who advised that he would be entitled to vote on those resolutions since he is not a member of any Boards for Stonebridge.

Councilman Dipierro asked that Resolutions R-6-2019-172, R-6-2019-177, R-6-2019-187 and R-6-2019-188 be removed from the Consent Agenda to be considered separately.

PUBLIC:

No public comment.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Baskin, the Agenda Meeting of June 24, 2019 Adjourned at 6:35 PM.

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, the Regular Meeting of June 24, 2019 Reconvened at 6:41 PM.

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

Council President Dalina called up Sergeant Robert Bell of the Monroe Township Police Department to honor him for his retirement and 25 years of service. Council President read a brief bio on Sergeant Bell, thanked him for his service and congratulated him on his retirement. Sergeant Bell stated that it has been an honor and privilege to serve with one of the best departments. He thanked the Mayor and Council for all of their support throughout the years, as well as, his family for all of their love and support. Mayor Tamburro congratulated Sergeant Bell for his dedicated service and wished him well in his retirement.

A five-minute recess was taken with the Regular Meeting reconvening at 6:58 PM.

UPON MOTION made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **6/20/2019** were approved for payment as presented.

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

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro, the **MINUTES** of the **June 5, 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 Councilman Dipierro, an Ordinance of which the following is the title was moved on second reading for final passage:

O-6-2019-017 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, ENTITLED “VEHICLES AND TRAFFIC”.

(Adding Bus Stops on Applegarth Road/Gateway Blvd.)

ORDINANCE as follows: (O-6-2019-017)

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

SECTION 1. Section 122-42, Schedule XIII of the Code of the Township of Monroe, which Section establishes “*Bus Stops*” within the Township of Monroe shall be amended to include the following:

In accordance with the provisions of Section § 122-18, the following described locations are hereby designated as bus stops:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
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ADD:

<i>Applegarth Road (CR 619)</i>	<i>West</i>	<i>Southbound, on the westerly side thereof at Gateway Boulevard North (near side) beginning at the Northerly curb line of Gateway Boulevard North, And extending 105 feet northerly therefrom (NJT Bus Stop 32965).</i>
<i>Gateway Boulevard</i>	<i>East</i>	<i>Northbound, on the easterly side thereof at Joan Warren Way (near side) beginning at the southerly curb line of Joan Warren Way and extending 105 feet Southerly therefrom (NJT Bus Stop 32966).</i>

SECTION 3. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 5. This Ordinance shall take effect twenty days after final passage, adoption and publication according to law.

BE IT FURTHER ORDAINED, that the Mayor and Council of the Township of Monroe will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

No Public Comment.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:

O-6-2019-017 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, ENTITLED “VEHICLES AND TRAFFIC”.

(Adding Bus Stops on Applegarth Road/Gateway Blvd.)

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

Councilman Dipierro recuses himself and leaves the room in regards to O-6-2019-018.

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-6-2019-018 ORDINANCE ACCEPTING DEED OF DRAINAGE EASEMENT FROM JAMES AND MARIA NETO, BLOCK 68, LOT 41.28. (49 Lower Matchaponix Avenue)

ORDINANCE as follows: (O-6-2019-018)

WHEREAS, there currently exists a stormwater drainage pipe below grade on property located at 49 Lower Matchaponix Avenue, also known as Block 68 Lot 41.28, on the official tax map of the Township of Monroe (the "Property"), which has collapsed in several areas creating sink holes on the Property; and

WHEREAS, the owners of the Property have requested that the Township remove the defective stormwater drainage pipe and replace it with a new stormwater drainage pipe in a different location, and have agreed to grant the Township a permanent easement for the newly-located pipe; and

WHEREAS, the Township Engineer has reviewed the metes and bounds description of the easement area attached to the deed and has found same to be in conformity with the plans and has recommended acceptance of the deed; and

WHEREAS, the Township Attorney has reviewed the deed and has found it to be legally sufficient;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, in the 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 conveying the drainage easement from the owners of the Property.

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.

No Public Comment.

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

O-6-2019-018 ORDINANCE ACCEPTING DEED OF DRAINAGE EASEMENT FROM JAMES AND MARIA NETO, BLOCK 68, LOT 41.28. (49 Lower Matchaponix Avenue)

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

Copy of Ordinance Duly Filed.
O-6-2019-018

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-6-2019-019 ORDINANCE ACCEPTING DEED OF CONSERVATION EASEMENT FROM S & G PAVING, INC., BLOCK 78, LOT 20.02

ORDINANCE as follows: (O-6-2019-019)

WHEREAS, S&G Paving, a Corporation of the State of New Jersey, with offices at 224C Forsgate Drive, Monroe, New Jersey 08831, has dedicated a conservation easement in connection with the development of Block 78; and

WHEREAS, the Township Engineer has reviewed the metes and bounds description and map for the Conservation Easement Deed and has found the same to be in conformity with the approved development and recommends acceptance of the Conservation Easement Deed; and

WHEREAS, the Township Attorney has reviewed the attached Easement Deed and found it to be legally sufficient; and

WHEREAS, the Township Council has determined that accepting the aforesaid Easement Deed 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 any documents which are reasonably necessary to accept the Conservation Easement Deed from S&G Paving, Inc.

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.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked of this was on private property; Engineer Rasimowicz answered that it is on private property that encompasses wetlands and wetland buffers. Mrs. Arminio asked how many acres to which Engineer Rasimowicz answered 1.77 acres. She asked if we plan to include the acreage in the Open Space inventory and Engineer Rasimowicz answered yes. Mrs. Arminio stated that she has stated on record that she has been against having this part of our inventory because they cannot be built on anyway and it would have to stay as Open Space anyways because of the fact that it is wetlands. She added that to say we are preserving 50% Open Space is unfair to say and she urged the Council to vote no on this Ordinance. Engineer Rasimowicz commented that this is a Conservation Easement Deed and it is strictly for wetland areas that are out there and the State has restrictions as well and they put an easement in place and under our Ordinance we do an easement as well and the State has asked us to continue on with that process. This also gets monumented as well to discourage people from going into it. Mrs. Arminio stated that in her Real Estate career she has seen encroachments on some of these easements and that is why she is stating that it is not a fair practice to include these into our Open Space inventory.

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-6-2019-019 ORDINANCE ACCEPTING DEED OF CONSERVATION EASEMENT FROM S & G PAVING, INC., BLOCK 78, LOT 20.02

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

Copy of Ordinance Duly Filed.
O-6-2019-019

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-6-2019-020 ORDINANCE ACCEPTING DEED OF WATER AND SEWER EASEMENTS FROM MICHAEL SEIXEIRO AND RONALD & JOANNE COOK, BLOCK 78, LOTS 20.02 AND 3.

ORDINANCE as follows: (O-6-2019-020)

WHEREAS, Michael Seixeiro owns property in the Township of Monroe and has dedicated easements for the installation of Water and Sanitary Sewer appurtenance facilities in connection with the development of Block 78, Lot 20.02; and

WHEREAS, Ronald & Joanne Cook own property in the Township of Monroe and has dedicated easements for the installation of Water and Sanitary Sewer appurtenance facilities in connection with the development of Block 78, Lot 3; and

WHEREAS, the Monroe Township Utility Department has reviewed the metes and bounds descriptions and maps for the Water and Sewer Easement Deeds and has found the same to be in conformity with the approved development and recommends acceptance of the Water and Sewer Easement Deeds; and

WHEREAS, the Township Attorney has reviewed the attached Easement Deeds and found them to be legally sufficient; and

WHEREAS, the Township Council has determined that accepting the aforesaid Easement Deeds 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 any documents which are reasonably necessary to accept the Water and Sewer Easement Deeds from Michael Seixeiro and from Ronald & Joanne Cook

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.

No Public Comment.

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

O-6-2019-020 ORDINANCE ACCEPTING DEED OF WATER AND SEWER EASEMENTS FROM MICHAEL SEIXEIRO AND RONALD & JOANNE COOK, BLOCK 78, LOTS 20.02 AND 3.

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

Copy of Ordinance Duly Filed.
O-6-2019-020

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

O-6-2019-021 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,130,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$1,130,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.

ORDINANCE as follows: (O-6-2019-021)

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water and Sewer Utility of the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$1,130,000 from the Water and Sewer Utility of the Township (the "Water and Sewer Utility"). Pursuant to the provisions of

N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water and Sewer Utility of the Township is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$1,130,000 appropriation provided for herein, negotiable bonds of the Water and Sewer Utility of the Township are hereby authorized to be issued in the principal amount of \$1,130,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Water and Sewer Utility of the Township in a principal amount not exceeding \$1,130,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, the following:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(i) The acquisition and installation of residential water meters; and	\$430,000	\$430,000	15 years
(ii) Purchase of equipment to comply with the New Jersey Water Quality Accountability Act, including, but not limited to, a new hydraulic valve exerciser with automatic torque control, data management and GPS functionality; and	\$250,000	\$250,000	20 years
(iii) Various improvements to comply with the New Jersey Water Quality Accountability Act, including, but not limited to, the design and installation of corrosion prevention systems to protect both above ground and below ground water/sewer assets and the design and installation of critical water quality parameters and flow monitoring equipment; and	\$350,000	\$350,000	20 years

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(iv) Purchase of various equipment to be used for pipeline inspections throughout the Township, including, but not limited to, cameras for internal inspection of pipelines, acoustic leak detection correlators and ultrasonic thickness gauging equipment for measuring pipeline wall thickness.	\$100,000	\$100,000	15 years

TOTALS \$1,130,000 \$1,130,000

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, environmental testing and remediation, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or

incidental thereto and all are in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,130,000.

(d) The estimated cost of said improvement or purpose is \$1,130,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget for the Water and Sewer Utility or a temporary capital budget for the Water and Sewer Utility, as applicable, for the Township. The capital or temporary capital budget of the Water and Sewer Utility is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water and Sewer Utility, a revised capital or temporary capital budget of the Water and Sewer Utility has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Water and Sewer Utility may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 17.65 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Water and Sewer Utility as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,130,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. Unless paid from other sources, including water fees and rates collected by customers of the Water and Sewer Utility, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked if any of this money is going towards the negotiations with Old Bridge for purchasing water rights as she had seen in a public notice; Administrator Weinberg stated that it is not a part of this bond ordinance.

Tom Bartley, 559 Spotswood-Englishtown Rd. – Mr. Bartley stated that he wanted to bring everyone back to when we had the MUA when we were 78 mil in the black and did not have to bond for the utility and hopes that someone on the Council will vote no to this Ordinance.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:

O-6-2019-021 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,130,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$1,130,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.

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

Copy of Ordinance Duly Filed.
O-6-2019-021

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-6-2019-022 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,040,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$990,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.

ORDINANCE as follows: (O-6-2019-022)

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the “Township”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,040,000, which includes the sum of \$50,000 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 *et seq.* (the “Local Bond Law”). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,040,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$990,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$990,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include, but are not limited to, the following:

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Acquisition of a collection of library books for general circulation and deposit in, and for use by, the Township free public library, a lawful public purpose;	\$150,000	\$142,800	\$7,200	5 years
(ii) Various roadway, sidewalk and curb improvements throughout the Township, all such improvements including, but not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, repairing and/or removal and installation of curbs, sidewalks, driveway aprons, retaining walls and curb ramps, concrete improvements, site work, clearing, and roadway painting and striping;	\$100,000	\$95,200	\$4,800	10 years
(iii) Various upgrades to the Municipal Facility in the Township, including but not limited to, interior improvements to the EMS facility;	\$100,000	\$95,200	\$4,800	15 years
(iv) Purchase of equipment for various Township Parks, including, but not limited to, bleachers, playground equipment, picnic tables, general park equipment and landscaping machinery;	\$170,000	\$161,900	\$8,100	15 years
(v) Various improvements to the Community Center including, but not limited to, design work for the expansion	\$79,000	\$75,200	\$3,800	12 years

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
of the parking lot and the purchase of equipment, including, but not limited to, a new gym curtain and fitness equipment;				
(vi) Various pedestrian improvements to Federal Road and Half Acre Road in the Township, including, but not limited to, the acquisition and installation of a flashing beacon crosswalk and signage;	\$65,000	\$61,900	\$3,100	10 years
(vii) Purchase of computers, desktops and printers for various Township Departments;	\$23,000	\$21,900	\$1,100	7 years
(viii) Purchase of a front loader for the Department of Public Works;	\$248,000	\$236,000	\$12,000	5 years
<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(ix) Alignment study on Federal Road between England Road and Tower Boulevard in the Township; and	\$55,000	\$52,300	\$2,700	5 years
(x) The acquisition and installation of a Geographic Information System (GIS) including a computer software mapping system for roads, plotting and the basin in the Township;	\$50,000	\$47,600	\$2,400	7 years
TOTALS	<u>\$1,040,000</u>	<u>\$990,000</u>	<u>\$50,000</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$990,000.

(c) The aggregate estimated cost of said improvements or purposes is \$1,040,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is the aggregate amount of the down payments available for such improvements or purposes in the amount of \$50,000.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, environmental testing and remediation, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all are in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with

respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.06 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$990,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$254,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same “Controlled Group” as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township’s official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter

into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

No Public Comment.

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

O-6-2019-022 BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,040,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$990,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.

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

Copy of Ordinance Duly Filed.
O-6-2019-022

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-6-2019-023 AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2019 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.

ORDINANCE as follows: (O-6-2019-023)

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the lease of certain items of capital equipment to various municipalities located in the County of Middlesex, State of New Jersey (the "County") including the County and the Authority (the "2019 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2019 Program and to lease various items of capital equipment (the "Equipment") from the Authority for use by various departments within the Municipality; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Lease and Agreement (the "Lease"), to be entered into by and between the Authority and the Municipality, which Lease has been approved by the Authority and which is attached hereto as Exhibit A, providing for the acquisition and leasing of certain Equipment from the Authority, which Equipment is described in Exhibit B attached hereto and incorporated by reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Lease.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 *et seq.*, the Municipality is hereby authorized and directed to enter into and implement the provisions of the Lease, which Lease provides for the leasing by the Municipality of certain Equipment acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2019 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 2. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance, including without limitation, (i) all Basic Rent and other Rent obligations of the Municipality under the Lease, including Authority Administrative Expenses and Additional Rent, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Lease pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease and the County Guarantee ((i), (ii) and (iii) collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the jurisdiction of the Municipality for the payment of the Lease Payment Obligation under the Lease without limitation as to rate or amount.

Section 3. The Mayor or other duly Authorized Municipal Representative (as defined in the Lease) is hereby authorized and directed to execute the Lease on behalf of the Municipality in the form as attached hereto in Exhibit A and the Clerk of the Municipality is hereby authorized and directed to attest to such signature and affix the seal of the Municipality thereto and the Lease is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Lease.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's Equipment described in Exhibit B attached hereto which will be subject to the Lease, (b) pay principal of and interest on the Bonds allocated to the Municipality and used to acquire the Municipality's Equipment, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Lease.

(2) The Bonds shall mature within five (5) years from the date of issue.

(3) The Lease Payment Obligation authorized herein shall remain effective until the Municipality's share of the Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Lease have been satisfied, notwithstanding the occurrence of any other event, including, but not limited to, the termination of the Lease with respect to some or all of the Equipment leased thereunder.

(4) The Equipment described in Exhibit B are hereby approved to be leased from the Authority in accordance with the terms of the Lease, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 5. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease. The Mayor, Clerk, Chief Financial Officer or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the Municipality, and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith, and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with, and in accordance with, the provisions of the Rule.

Section 6. The Mayor, Clerk, Chief Financial Officer or Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease, the leasing of the Equipment, which is to be the subject of the Lease, and all related transactions contemplated by this ordinance.

Section 7. Upon the payment of all amounts referenced in Section 4(3) herein, the full faith and credit pledge of the Municipality as to its Lease Payment Obligation authorized herein shall cease to exist.

Section 8. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 9. This ordinance shall take effect twenty (20) days after final adoption and publication hereof in accordance with applicable law.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked if the public could have some explanation as to the borrowing from the Middlesex County Improvement Authority and if so, how do they get paid and what is the benefit to the Township. Administrator Weinberg explained that we do some of our bonds on our own each year. In addition to the long- and short-term loans we do this five-year program as well which many municipalities take advantage of as it gives us the benefit of the AAA bond rating from the County, as well as, sharing the same Bond Counsel which reduces fees and services and it has a five year life which gives us a medium term. He further explained that our CFO feels strong about this as this is a five-year term with a few towns using the County’s AAA bond rating to get low rates. Mrs. Arminio asked if there are fees through the issuance; Administrator Weinberg answered that the fees are able to be pooled because of multiple towns participating. Mrs. Arminio asked if the fee is proportionate based on how much money taken out; Administrator Weinberg answered that was correct.

Council President Dalina stated that it looks like it is mostly vehicles and equipment that are a part of this loan; Administrator Weinberg explained and concurred as this is mostly vehicles and equipment which has a life of approximately five years.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked what the amount of the loan is; Council President Dalina stated that the amount is \$1,259,834. Administrator Weinberg stated that is the number he has and it is stated in the Ordinance as well. Mr. Gunkelman asked what does it mean when it says that it is County guaranteed; Administrator Weinberg answered that it means that the County gathers it together and they are the Guarantor. Mr. Gunkelman asked what their rating is and what the interest would be; Administrator Weinberg stated their rating is AAA and the interest amount is not determined yet until they go out to market but generally it is always low and around 2%.

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-6-2019-023 AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2019 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.

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

Copy of Ordinance Duly Filed.
O-6-2019-023

Mayor Tamburro spoke about Resolutions R-6-2019-193 through R-6-2019-196 which deal with the issue of Lennar and Stonebridge. He explained that the developer has been stonewalling the community and have made empty promises for years and in speaking with both the Township Attorney and Township Engineer they explained that a letter would be given which would give them a time frame to get the punch list items completed and if not completed we would then take their bonds and go out to bid and have someone else complete the work needing to be done. He stated that he is very pleased we are moving forward and added that we are not going to continue to stand still while they try to stonewall our community and wants to help the Residents get their community completed. Township Attorney Schaffer added that the Mayor asked the firm to research if we can restrict issuance of subsequent certificates of occupancy or permits if they continue to default. She stated that they are researching that answer and will share it once received. Councilman Baskin added that for full disclosure he spoke with the Township Attorney to see if there would be a conflict with him voting on these resolutions since he is a resident of Stonebridge and he was advised that he can vote on these resolutions which he intends to do. Councilman Dipierro stated that he has looked at the letter from our Township Attorney dated June 20, 2019 cites punch list items from the Engineer’s letter dated April 24, 2012 which is over seven years old in where these punch list items have not been addressed or completed. He suggested an Ordinance be created to stop these developers from not fulfilling the Township’s obligations. Council Vice-President Schneider commented that she agrees and feels that the only leverage we have is to do something like this as it is not

fair to the residents. Councilman Baskin added that based on what was passed in the State legislature recently he wonders if it would be legal to pass such an Ordinance.

Council President Dalina questioned R-6-2019-192 and asked where it starts and ends; Engineer Rasimowicz answered that it is starting at the railroad tracks down the hill, leading up to the traffic light at Buckelew Avenue and down to the triangle where it leads to Spotswood Englishtown Road. Councilman Dipierro added that he sent a letter to the County Engineer regarding the dip in the road in that area and they came out along with Administrator Weinberg but it was determined that it was okay. Engineer Rasimowicz responded that in looking at that part of the roadway he understands that there will be some minor adjustments done.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro the following Resolutions were moved for Adoption under the **CONSENT AGENDA:** (R-6-2019-169 – R-6-2019-196 with the exception of R-6-2019-172, R-6-2019-177, R-6-2019-187 and R-6-2019-188 which will be voted on separately)

**R-6-2019-169 RESOLUTION AUTHORIZING AND APPROVING THE
RENEWAL OF LIQUOR LICENSES FOR THE 2019– 2020
LICENSE TERM.**

WHEREAS, the Plenary Retail Consumption and Plenary Retail Distribution Applications set forth on the **attached list** for licenses heretofore issued by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey for the licensing year 2019-2020 have been submitted in proper form and no objections have been received in writing or otherwise; and

WHEREAS, the applications submitted for the licenses set forth have been found complete in all respects; and

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

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 Liquor Licenses as outlined on the attached list, heretofore issued for the licensing term of 2019 – 2020 be and are hereby renewed for the said licensing term, effective July 1, 2019;

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to issue the Club, Plenary Retail Consumption and Plenary Retail Distribution Licenses for the licensing term of 2019 – 2020, effective July 1, 2019 – June 30, 2020.

SO RESOLVED, as aforesaid.

**MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY
2019 - 2020 LIQUOR LICENSE RENEWALS**

1213-31-023-001

CLUB LICENSE

COLUMBIAN CLUB OF JAMESBURG, INC.

t/a COLUMBIAN CLUB OF JAMESBURG

83 Lincoln Avenue

Monroe Township, NJ 08831

Special Conditions, if any: "None"

1213-32-010-007

PLENARY RETAIL CONSUMPTION w/BROAD PACKAGE PRIVILEGE

JACK THOMAS TAVERN, LLC

t/a DOCKS CORNER TAVERN

216 Docks Corner Road

Monroe Township, NJ 08831

Special Conditions, if any: "None"

1213-32-015-008

PLENARY RETAIL CONSUMPTION w/BROAD PACKAGE PRIVILEGE

FRANKLIN PLAZA SPIRITS, INC.

t/a BUY-RITE LIQUORS

557 Englishtown Road

Monroe Township, NJ 08831

Special Conditions, if any: "None"

1213-32-004-010

PLENARY RETAIL CONSUMPTION w/BROAD PACKAGE PRIVILEGE
CIRO'S LLC
t/a CIRO'S ITALIAN RESTAURANT
301 Buckelew Ave.
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-32-016-009

PLENARY RETAIL CONSUMPTION w/BROAD PACKAGE PRIVILEGE
DEVRAJ, INC.
t/a MONROE WINE & SPIRITS
Concordia Shopping Center
1600 Perrineville Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-32-005-005

PLENARY RETAIL CONSUMPTION w/BROAD PACKAGE PRIVILEGE
BAJ SPIRITS INC.
"NO SITED PREMISES - POCKET LICENSE"
CONTACT INFORMATON
Neetu Khiani
7 Woods Edge Court
Parlin, NJ 08859

1213-33-011-003

PLENARY RETAIL CONSUMPTION
CHEF'S INTERNATIONAL, INC.
t/a BAKER'S AMERICAN BAR & GRILLE
801 Route 33 & Perrineville Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-33-001-008

PLENARY RETAIL CONSUMPTION
L.L. ONE, LLC
Robert McDaid c/o Renaissance Properties, Inc
"NO SITED PREMISES - POCKET LICENSE"
3663 Route 9 North - Suite 202
Old Bridge, NJ 08857
Special Conditions, if any: "None"

1213-33-007-007

PLENARY RETAIL CONSUMPTION
FORSGATE HOSPITALITY, LLC
t/a FORSGATE COUNTRY CLUB
375 Forsgate Drive
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-33-008-008

PLENARY RETAIL CONSUMPTION
GARVEY'S PUB INC
t/a GARVEY'S PUB INC
405 Spotswood-Gravel Hill Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-33-012-007

PLENARY RETAIL CONSUMPTION
MLJR VENTURES, LLC
t/a RYAN'S PUB & SPORTS BAR
299 Spotswood-Englishtown Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-33-003-007

PLENARY RETAIL CONSUMPTION
CORKSCREW WINES, INC.
t/a MONROE BEER, WINE, LIQUOR & BAR
475 Spotswood-Englishtown Road
Monroe Township, NJ 08831

Special Conditions, if any: "None"

1213-44-002-005

PLENARY RETAIL DISTRIBUTION
CORKSCREW WINES, INC.
t/a CORKSCREW WINES & LIQUORS, LTD
355 Applegarth Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-44-009-006

PLENARY RETAIL DISTRIBUTION
ED'S LIQUOR STORE, INC.
t/a ED'S LIQUOR STORE, INC.
288 Spotswood-Englishtown Road
Monroe Township., NJ 08831
Special Conditions, if any: "None"

1213-44-014-005

PLENARY RETAIL DISTRIBUTION
HELMETTA LIQUORS, INC.
t/a SAM'S LIQUOR STORE
93 Helmetta Road
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-36-021-001

PLENARY RETAIL CONSUMPTION – HOTEL/MOTEL EXCEPTION
JAMESBURG BANQUETS, L.L.C.
t/a RAMADA PLAZA
390 Forsgate Drive
Monroe Township, NJ 08831
Special Conditions, if any: "None"

1213-33-006-011

PLENARY RETAIL CONSUMPTION
JSM INVESTMENTS AT MONROE, LLC
"NO SITED PREMISES - POCKET LICENSE"
Mailing Address
JSM Investments at Monroe, LLC
1260 Stelton Road
Piscataway, NJ 08854
Special Conditions, if any: "None"

1213-33-013-016

PLENARY RETAIL CONSUMPTION
TAVERNA OUZO GROUP, INC
Barry R. Sharer, Bankruptcy Trustee
Sharer, Petree, Brotz, & Snyder
1103 Laurel Oak Road, Bldg 5 Suite 110
Voorhees, NJ 08648
Special Conditions, if any: "None"

INACTIVE

R-6-2019-170

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)
(2019 Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund - \$562.62)

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 \$562.62, which is now available as a revenue from the 2019 Municipal Court Alcohol Education Rehabilitation and Enforcement Fund;

BE IT FURTHER RESOLVED that a like sum of \$562.62 is hereby appropriated under the caption:

**“2019 MUNICIPAL COURT ALCOHOL EDUCATION
REHABILITATION AND ENFORCEMENT FUND”**

SO RESOLVED, as aforesaid.

**R-6-2019-171 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) (2019 Clean Communities Grant - \$94,380.34)**

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 \$94,380.34, which is now available as a revenue from the 2019 Clean Communities Grant;

BE IT FURTHER RESOLVED that a like sum of \$94,380.34 is hereby appropriated under the caption:

“2019 CLEAN COMMUNITIES GRANT”

SO RESOLVED, as aforesaid.

**R-6-2019-173 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO
SHAIN SCHAFFER, P.C. RELATED TO OPEN SPACE AS EXTRAORDINARY
LITIGATION. (Additional \$15,000)**

WHEREAS, the Township of Monroe, has the need for legal representation in connection with matters Open Space Legal; and

WHEREAS, Shain Schaffer, P.C., previously known as, Shain, Schaffer & Rafanello, 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 these matters 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-1-2015-030 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 authorization for the following:

Open Space Legal – additional **\$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 and is reasonable at this time; and

WHEREAS, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No, **C-150006**, 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 authorizes Shain Schaffer, P.C. be paid for legal services rendered in connection with matters of Open Space Legal in the amount of **\$15,000.00**.

SO RESOLVED, as aforesaid.

**R-6-2019-174 RESOLUTION AUTHORIZING MODIFICATION TO A CONTRACT
AWARDED TO AQUATIC TECHNOLOGIES, INC. FOR MONROE TOWNSHIP
WET BASIN MAINTENANCE.** (Adding Cranbury Station Rd. - \$1993.00)

WHEREAS, pursuant to Resolution No. R-4-2019-049, adopted by the Monroe Township Council at its meeting held on March 5, 2019, a contract was awarded to Aquatic Technologies, Inc. P.O. Box 769 Branchville, N.J. 07826 for wet basin maintenance for calendar year 2019; and

WHEREAS, the current contract needs to be modified to include aquatic vegetation control in the Cranbury Station Road wet basin; and

WHEREAS, Aquatic Technologies, Inc. has provided an estimate for the additional work at a total cost not to exceed an additional **\$1,993.00** to the current contract price; and

WHEREAS, reflecting the addition of the Cranbury Station Road wet basin maintenance, the new increased contract total for 2019 wet basin maintenance is **\$19,992.00**; 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-1900014, 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 it hereby authorizes the contract with Aquatic Technologies, Inc. be modified in the amount of *One Thousand Nine Hundred Ninety Three Dollars (\$1993.00)*.

SO RESOLVED, as aforesaid.

**R-6-2019-175 RESOLUTION AUTHORIZING MODIFICATION TO A CONTRACT
AWARDED TO GREENLEAF LANDSCAPE SYSTEMS & SERVICES FOR
MONROE TOWNSHIP 2019 LANDSCAPING SERVICES.**
(Adding Ely Rd. and Cranbury Station Rd. basins - \$2250.00)

WHEREAS, pursuant to Resolution No. R-3-2019-081, adopted by the Monroe Township Council at its meeting held on March 4, 2019, a contract was awarded to Greenleaf Landscape Systems & Services, 276 Pine Brook Road Eatontown, N.J. 07724; and

WHEREAS, the Monroe Township Department of Public Works in attached correspondence dated June 6, 2019, has requested the current contract be modified to include the bi-monthly mowing of Ely Drive and Cranbury Station Road basins beginning in July and ending in November; and

WHEREAS, Greenleaf Landscape Systems & Services has provided an estimate for the additional work at a cost of \$225.00 per cut, total cost not to exceed an additional \$2,250.00 to the current contract price; 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-1900011, 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 it hereby authorizes the contract with Greenleaf Landscape Systems & Services, be modified in the amount of *Two Thousand Two Hundred Fifty Dollars (\$2250.00)*.

SO RESOLVED, as aforesaid.

R-6-2019-176 RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$932.97)

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, a resident from Heritage Chase has requested reimbursement for three (3) diseased Ash Shade trees which they had removed in 2017 because they were misinformed and were told the Township would not assist with the removal of the diseased trees; and

WHEREAS, by memo dated June 7, 2019, the Monroe Township Business Administrator requested that Council approve the request for reimbursement in the amount of \$993.97 to the resident of Heritage Chase for the removal of their diseased Ash Shade Trees which they previously had removed; 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 the request be authorized; and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds within the Tree Escrow Fund in Certificate No. **C-190050** attached hereto as Exhibit “B”; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe authorizes the expenditure from the Tree Escrow Fund in the amount of \$932.97 to reimburse Heritage Chase resident Renee & Steve Haider, 11 Regent Drive, Monroe Twp. 08831; and

BE IT FURTHER RESOLVED, that the Finance Department is hereby authorized and directed to reimburse the resident from the Tree Escrow Fund.

SO RESOLVED, as aforesaid.

R-6-2019-178 RESOLUTION APPOINTING FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND.

WHEREAS, the Township of Monroe in Middlesex County is a member of the Garden State Municipal Joint Insurance Fund; and

WHEREAS, it is required for the Township of Monroe to have representation on the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED on this 24th day of June, 2019 by the Township Council of the Township of Monroe County of Middlesex, State of New Jersey that:

1. Alan Weinberg is hereby appointed as Fund Commissioner representing the Township of Monroe on the Garden State Municipal Joint Insurance Fund Board of Commissioners.
2. Danielle Racioppi is hereby appointed as Alternate Fund Commissioner representing the Township of Monroe on the Garden State Municipal Joint Insurance Fund Board of Commissioners.

SO RESOLVED, as aforesaid.

R-6-2019-179 RESOLUTION AUTHORIZING 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 Three thousand Six hundred Seven dollars and Eighty-Eight cents (\$3,607.88) 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-6-2019-180 RESOLUTION AUTHORIZING SHAIN SCHAFFER PC TO HANDLE THE MATTER OF CT07 SPII LLC. AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (\$7500)

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, the Mayor of the Township of Monroe has requested that Shain Schaffer PC defend the interests of the Township, the Mayor and Township Council in regard to the claims brought in CT07 SPII LLC and DT07 SPII LLC v. Township of Monroe, et al., as extraordinary litigation; and

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

WHEREAS, Shain Schaffer PC possesses the expertise necessary to handle this matter as extraordinary litigation; and

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

WHEREAS, Shain Schaffer PC will render legal services at a cost not to exceed \$7,500.00, with respect to the matter of CT07 SPII LLC and DT07 SPII LLC v. Township of Monroe, et al., 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 \$7,500.00 to handle this matter as extraordinary litigation as evidenced by the Treasurer’s Certification No. C-1900052, 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 and State of New Jersey, that it has rendered its advice and hereby consents to Shain Schaffer PC handling the matter of CT07 SPII LLC and DT07 SPII LLC v. Township of Monroe, et al. as extraordinary litigation, for which legal services may be provided in an amount up to \$7,500.00, pending further authorization from the Council.

SO RESOLVED, as aforesaid *nunc pro tunc*.

R-6-2019-181 RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEE. (\$42.00)

WHEREAS, the Construction Official, by copy of a letter dated June 11, 2019, copy of which is attached hereto as Exhibit “A”, has recommended the Council approve the following construction permit refund:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
Garden State Air Conditioning 819 Route 33 Freehold, N.J. 07728	Permit # 20191278 Request to void permit/ Work no longer being performed at 11 Doral Drive, Monroe	\$42.00

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the request is hereby authorized and that a refund be made to **Garden State Air Conditioning in the amount of \$42.00.**

SO RESOLVED, as aforesaid.

R-6-2019-182 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND POPS FARM MARKET AND GARDEN CENTER, LLC. FOR THE LEASE OF PROPERTY KNOWN AS BLOCK 15.21, LOTS 1, 13 AND 25.3.

WHEREAS, the Township of Monroe ("Lessor") is the owner of property designated as Block 15.21, Lots 1, 13 and 25.3, having acquired the property on various dates through donation and dedication; and

WHEREAS, historically Pops Farm Market and Garden Center, LLC ("Lessee") has conducted farming operations on portions of the Property by verbal agreement with the Township; and

WHEREAS, the Lessor and Lessee now intend to formalize the relationship through execution of a written lease under the terms and conditions set forth in the Lease Agreement annexed hereto as Exhibit A; and

WHEREAS, the Township Council, upon its review, finds the execution of the Lease Agreement with Pops Farm Market and Garden Center, LLC to be in the best interests of the residents of the Township of Monroe;

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 be and are hereby authorized and directed to execute the attached Lease Agreement with Pops Farm Market and Garden Center, LLC, for the leasing of portions of property designated as Block 15.21, Lots 1, 13 and 25.3.

SO RESOLVED, as aforesaid.

R-6-2019-183 RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH W.B. MASON FOR MONROE TOWNSHIP CUSTODIAL SUPPLIES.

WHEREAS, on July 5, 2017 per Resolution No. R-7-2017-196, **W.B. Mason** was awarded the Custodial Supplies contract; and

WHEREAS, the current contract renewal expires on June 30, 2019 and the Township has an option to extend for one additional one-year period; and

WHEREAS, the Township Qualified Purchasing Agent inquired as to the willingness of W.B. Mason to extend their current contract; and

WHEREAS, the attached letter dated June 12, 2019 indicates the willingness of **W.B. Mason** to extend the current contract from July 1, 2019 thru June 30, 2020, under the same terms, conditions and pricing contained within their original bid specification and contract; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available as set forth in Certificate No C-1700032, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the contract for Monroe Township Custodial Supplies is being extended one year to June 30, 2020 in accordance with N.J.S.A. 40A:11-15 of the Local Public Contracts Law;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the one-year extension of contract with W.B. Mason under the same terms, conditions and pricing within their original bid specification submitted for Custodial Supplies; 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 2017 contract entered into between the parties;

SO RESOLVED, as aforesaid.

R-6-2019-184 RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CAMELOT NEIGHBORHOOD PEDESTRIAN AND ROADWAY IMPROVEMENT PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Monroe formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Camelot Neighborhood Pedestrian & Roadway Improvements-00213 to the New Jersey Department of Transportation on behalf of the Township of Monroe; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Monroe and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

SO RESOLVED, as aforesaid.

R-6-2019-185 RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE COSTCO DRIVE ROADWAY IMPROVEMENTS PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Monroe formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Costco Drive Roadway Improvements-00214 to the New Jersey Department of Transportation on behalf of the Township of Monroe; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Monroe and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

SO RESOLVED, as aforesaid.

R-6-2019-186 RESOLUTION PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MUNICIPAL COURT JUDGE.

WHEREAS, the Mayor has appointed **GEORGE M. BOYD** to the position of **Municipal Court Judge** for a 3 year term expiring on July 31, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Township Council hereby provides its Advice and Consents to the appointment of **GEORGE M. BOYD** for a term commencing August 1, 2019 and expiring on July 31, 2022;

SO RESOLVED, as aforesaid.

R-6-2019-189 RESOLUTION AUTHORIZING AWARD OF BID TO MECO, INC. FOR THE DANIEL ROAD & 10TH STREET PEDESTRIAN & ROADWAY IMPROVEMENTS PROJECT. (\$531,353.00)

WHEREAS, on June 14, 2019 four (4) sealed bids were received by Monroe Township regarding **Daniel Road & 10th Street Pedestrian & Roadway Improvement Project**; and

WHEREAS, CME Associates, by copy of letter dated June 17, 2019, has recommended **Meco, Inc. P.O. Box 536, Clarksburg, N.J. 08510**, be awarded the contract based upon their bid submission in the amount of **\$531,353.00**; and

WHEREAS, the Township Attorney has reviewed the bid documents and found the bid submitted by Meco, Inc. to be legally sufficient and compliant with the bid specifications; and

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

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1900053**, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *Meco, Inc.* for the **Daniel Road & 10th Street Pedestrian & Roadway Improvement Project**, at a total contract price of **\$531,353.00**; and

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

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Meco, Inc.* in accordance with the contract entered into between the parties; and

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

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

SO RESOLVED, as aforesaid.

R-6-2019-190 RESOLUTION OF AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR THE EMS ROOF PROJECT AND RE-ADVERTISING FOR RECEIPT OF BIDS.

WHEREAS, on June 12, 2019, two (2) sealed bids were received in connection with the Monroe Township's EMS Building Roof Replacement Project; and

WHEREAS, by copy of letter dated June 18, 2019, the Township Attorney advised that the low bid be rejected at this time for failing to provide the documentation required by the bid specification; and

WHEREAS, the only other bid received was over budget; and

WHEREAS, by copy of letter dated June 18, 2019, the Township Architect advised that he concurs with the Township's decision to reject all bids at this time and recommends that the project be re-advertised in September; and

WHEREAS, the Township Council has reviewed and consents to the recommendations made by the Township Attorney and Township Architect;

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 bids received in connection with the EMS Building Roof Replacement Project be and are hereby rejected; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to re-advertise for receipt of bids in connection with the EMS Building Roof Replacement Project.

SO RESOLVED, as aforesaid.

R-6-2019-191 RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND MICHAEL J. BIENNAS WHO SHALL SERVE AS CHIEF OF POLICE.

WHEREAS, the Township of Monroe and Michael J. Biennas have reached agreement on a contract pursuant to which Michael J. Biennas shall serve as the Chief of Police and shall perform those duties as are required by the laws of the State of New Jersey and shall receive an annual salary consistent with the Township Salary and Wage Ordinance; and

WHEREAS, a copy of the referenced Employment Agreement is annexed hereto as Exhibit "A" and made a part hereof; and

WHEREAS, this Agreement shall be effective from July 1, 2019 through and including December 31, 2019.

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 are hereby authorized and directed to execute the annexed Employment Agreement by and between the Township of Monroe and Police Chief Michael J. Biennas.

SO RESOLVED, as aforesaid.

**R-6-2019-192 RESOLUTION AUTHORIZING AWARD OF BID TO Z BROTHERS
CONCRETE CONTRACTORS FOR THE SCHOOLHOUSE ROAD
IMPROVEMENTS PROJECT. (\$455,841.19)**

WHEREAS, on June 20, 2019 nine (9) sealed bids were received by Monroe Township regarding the **Schoolhouse Road Improvement Project**; and

WHEREAS, the Township Engineer, by copy of letter dated June 20, 2019, has recommended **Z Brothers Concrete Contractors 304 Jernee Mill Road Sayreville, N.J. 08872**, be awarded the contract based upon their bid submission in the amount of **\$455,841.19**; and

WHEREAS, the Township Attorney has reviewed the bid documents and found the bid submitted by Z Brothers Concrete Contractors to be legally sufficient and compliant with the bid specifications; and

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

WHEREAS, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1900054, a copy of which is attached hereto as Exhibit "A"; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to **Z Brothers Concrete Contractors** for the **Schoolhouse Road Improvement Project**, at a total contract price of **\$455,841.19**; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Z Brothers Concrete Contractors**; and

BE IT FURTHER RESOLVED that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay **Z Brothers Concrete Contractors** in accordance with the contract entered into between the parties; and

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Z Brothers Concrete Contractors** shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting a completed AA-201, within seven (7) days of notification of award of the contract or risk being declared non-responsive and forfeiting the award.

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

SO RESOLVED, as aforesaid.

**R-6-2019-193 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING
THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND
POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE
CLUBHOUSE OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.**

WHEREAS, on July 22, 2004, memorialized on August 26, 2004, Lennar Company/ Lori Gardens Associates II, LLC ("Lori Gardens") was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB # 906-04 for the Clubhouse of the Greenbriar at Stonebridge development ("Subject Project"); and

WHEREAS, on September 6, 2007, Fidelity and Deposit Company of Maryland ("Fidelity" or "Surety"), issued a Rider on Performance Bond No. 08821696 ("Performance Bond"), in the amount of \$1,167,475.86 to assure completion of construction on the Subject Project; and

WHEREAS, on April 2, 2019, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Lori Gardens correct said deficiencies within 60 days; and

WHEREAS, as of June 2, 2019, the sixty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

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

WHEREAS, by letter dated June 20, 2019, the Township Engineer requested that the Township pursue recourse against the Surety pursuant to the Performance Bond issued on the Subject Project; and

WHEREAS, the Performance Bond requires a municipal declaration of default with notice to Lori Gardens; and

WHEREAS, the law firm of Shain Schaffer, PC is prepared to issue a formal notification to Lori Gardens and Surety on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

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

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

SO RESOLVED, as aforesaid.

R-6-2019-194 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 1, SECTION 1 SITEWORK OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

WHEREAS, on July 22, 2004, memorialized on August 26, 2004, Lennar Company/ Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB # 906-04 for the Phase 1, Section 1 Sitework of the Greenbriar at Stonebridge development (“Subject Project”); and

WHEREAS, on September 6, 2007, Fidelity and Deposit Company of Maryland (“Fidelity” or “Surety”), issued a Rider on Performance Bond No. 08821683 (“Performance Bond”), in the amount of \$444,241.94 to assure completion of construction on the Subject Project; and

WHEREAS, on April 2, 2019, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Lori Gardens correct said deficiencies within 60 days; and

WHEREAS, as of June 2, 2019, the sixty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

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

WHEREAS, by letter dated June 20, 2019, the Township Engineer requested that the Township pursue recourse against the Surety pursuant to the Performance Bond issued on the Subject Project; and

WHEREAS, the Performance Bond requires a municipal declaration of default with notice to Lori Gardens and Surety; and

WHEREAS, the law firm of Shain Schaffer, PC is prepared to issue a formal notification to Lori Gardens and Surety on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

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

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

SO RESOLVED, as aforesaid.

R-6-2019-195 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 1, SECTION 6 OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

WHEREAS, on August 24, 2006, memorialized on September 28, 2006, Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1011-06 for Phase 1, Section 6 of the Greenbriar at Stonebridge development (“Subject Project”); and

WHEREAS, on August 12, 2008, Fidelity and Deposit Company of Maryland (“Fidelity” or “Surety”), issued a Rider on Performance Bond No. 08862549 (“Performance Bond”), in the amount of \$308,527.70 to assure completion of construction on the Subject Project; and

WHEREAS, on April 2, 2019, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Lori Gardens correct said deficiencies within 60 days; and

WHEREAS, as of June 2, 2019, the sixty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

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

WHEREAS, by letter dated June 20, 2019, the Township Engineer requested that the Township pursue recourse against the Surety pursuant to the Performance Bond issued on the Subject Project; and

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

WHEREAS, the law firm of Shain Schaffer, PC is prepared to issue a formal notification to Lori Gardens and Surety on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

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

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

SO RESOLVED, as aforesaid.

R-6-2019-196 RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING THE TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY LENNAR/LORI GARDENS ASSOCIATES II, LLC. FOR THE PHASE 2, SECTION 8A OF THE GREENBRIAR AT STONEBRIDGE DEVELOPMENT.

WHEREAS, on March 25, 2010 Lennar Company/Lori Gardens Associates II, LLC (“Lori Gardens”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB #1080-10 for Phase 2, Section 8A of the Greenbriar at Stonebridge development (“Subject Project”); and

WHEREAS, on April 4, 2011, The Continental Insurance Company (“Continental” or “Surety”), issued Performance Bond No. 929505542 (“Performance Bond”), in the amount of \$509,755.20 to assure completion of construction on the Subject Project; and

WHEREAS, on April 2, 2019, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Lori Gardens correct said deficiencies within 60 days; and

WHEREAS, as of June 2, 2019, the sixty days allowed by the Township for completion of the deficient work expired and the incomplete work persists; and

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

WHEREAS, by letter dated June 20, 2019, the Township Engineer requested that the Township pursue recourse against the Surety pursuant to the Performance Bond issued on the Subject Project; and

WHEREAS, the Performance Bond requires a municipal declaration of default with notice to Lori Gardens and Surety; and

WHEREAS, the law firm of Shain Schaffer, PC is prepared to issue a formal notification to Lori Gardens and Surety on a municipal declaration of default, in substantially the form attached hereto as Exhibit A.

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

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

SO RESOLVED, as aforesaid.

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 Resolutions Duly Filed.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Baskin, the following Resolutions were moved for Adoption and considered separately:

R-6-2019-172 RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL SERVICE CONTRACT TO BETTINA DURMASKIN SHOLK REAL ESTATE APPRAISAL AND CONSULTANT FOR AN OPEN SPACE APPRAISAL ON BLOCK 18. LOT 17 – PERRINEVILLE ROAD. (75.80+ acres – between Union Valley Rd and Federal Road) (\$3000)

WHEREAS, the Township Council of the Township of Monroe has a need to acquire professional services in the field of market value appraisals for open space property, as a non-fair and open contract pursuant to provisions of N.J.S.A. 19:A-20.5 for Block 18, Lot 17 – 433 Schoolhouse Road (75.80+ acres); and

WHEREAS, Bettina Durmaskin Sholk Real Estate Appraisal and Consultant, possesses the technical expertise required for such a service; and

WHEREAS, pursuant to *N.J.A.C. 5:30-5.4*, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No. **C-1900049**, a copy of which is attached 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 as follows:

- (1) The Mayor and Township Clerk be and are hereby authorized to enter into an contract with Bettina Durmaskin Sholk Real Estate Appraisal and Consultant, 5 Rosemary Road, East Brunswick, N.J. 08816, in accordance with the proposal attached hereto as Exhibit “B”;
- (2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by Bettina Durmaskin Sholk Real Estate Appraisal and Consultant, in accordance with attached proposal, in an amount not to exceed \$3,000.00;
- (3) This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law;
- (4) This contract is awarded with the stipulation that the contract shall include mandatory Affirmative Action language, and Bettina Durmaskin Sholk Real Estate Appraisal and Consultant shall submit to the Township of Monroe any appropriate Affirmative Action documents within the time period prescribed by law.

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

SO RESOLVED, as aforesaid.

R-6-2019-177 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROPERTY SURVEY, RIGHT OF WAY SUBDIVISION, DESCRIPTIONS AND PHASE 1 ENVIRONMENTAL ANALYSIS ON BLOCK 18, LOT 17 – PERRINEVILLE ROAD. (75.80+ acres – between Union Valley Rd and Federal Road) (\$22,500)

WHEREAS, the Township of Monroe seeks professional engineering and surveying services in connection with surveying, subdivision for right of way, property descriptions and environmental review of the below listed property:

BLOCK	LOT	ADDRESS	SURVEYS, DESCRIPTIONS And ENVIRONMENTAL
18	17	Perrineville Rd. (76 Acres)	\$22,500.00

for the purpose of acquisition by the Township of Monroe under the Local Open Space program; and

WHEREAS, Center State Engineering possesses the technical expertise required to perform professional engineering services and surveying services in connection with this property; and

WHEREAS, the fees for such services will not exceed Twenty Two Thousand Five Hundred Dollars (**\$22,500.00**); and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in **Certificate No. C-1900051**, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, no agreement that is subject to the requirements of Article III of the Affirmative Action Regulations pursuant to P.L. 1975, Chapter 127 (N.J.S.A. 17:27-1 et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor or 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 approved under the terms established in the above-cited regulations.

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with ***Center State Engineering, 481 Spotswood-Englishtown Road, Monroe Township, NJ 08831***, in accordance with the Agreement annexed hereto;
- (2) The Department of Finance is hereby authorized and directed to pay Invoices for services rendered by Center State Engineering in an amount not to exceed Twenty Two Thousand Five Hundred Dollars (**\$22,500.00**);
- (3) The Contract is awarded with the stipulation that ***Center State Engineering*** shall include within the Contract mandatory Affirmative Action language and shall submit to the Township of Monroe any appropriate Affirmative Action document within the time period prescribed by law;
- (4) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

R-6-2019-187 RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH DOT DESIGNING LLC. FOR MONROE TOWNSHIP SHIRTS AND HATS.

WHEREAS, on August 7, 2017 per Resolution No. R-8-2017-205, **DOT Designing LLC.**, was awarded the Shirts and Hats contract; and

WHEREAS, the current contract renewal expires on July 31, 2019 and the Township has an option to extend for one additional one-year period; and

WHEREAS, the Township Qualified Purchasing Agent inquired as to the willingness of DOT Designing LLC. to extend their current contract; and

WHEREAS, the attached letter received June 13, 2019 indicates the willingness of **DOT Designing LLC**. to extend the current contract from August 1, 2019 thru July 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-1700033, 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-170021, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, the contract for Monroe Township Shirts & Hats is being extended one year to July 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 DOT Designing LLC. under the same terms, conditions and pricing within their original bid specification submitted for Monroe Township Shirts and Hats; 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 2017 contract entered into between the parties;

SO RESOLVED, as aforesaid.

R-6-2019-188 RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT WITH JAMESBURG PRESS FOR MONROE TOWNSHIP PRINTING SERVICES (GROUPS A & B).

WHEREAS, on August 7, 2017 per Resolution No. R-8-2017-210, **Jamesburg Press**, was awarded the Monroe Township Printing Services (Groups A & B) contract; and

WHEREAS, the current contract renewal expires on July 31, 2019 and the Township has an option to extend for one additional one-year period; and

WHEREAS, the Township Qualified Purchasing Agent inquired as to the willingness of Jamesburg Press to extend their current contract; and

WHEREAS, the attached letter dated June 12, 2019 indicates the willingness of **Jamesburg Press** to extend the current contract from August 1, 2019 thru July 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-1700034, 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-170022, a copy of which is attached hereto as Exhibit "B"; and

WHEREAS, the contract for Monroe Township Printing Services is being extended one year to July 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 Jamesburg Press under the same terms, conditions and pricing within their original bid specification submitted for Monroe Township Printing Services (Groups A & B); 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 2017 contract entered into between the parties;

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

REPORTS:

Mayor's Report – Thanked everyone for their support to him and his family during this trying time; Monroe is a terrific place with many caring people and that has helped him and his family tremendously.

Attended the end of the season Soccer event held yesterday; over 1,000 children participate in the program and he extended thanks to the coaches and parents for their involvement. In addition, the fields are spectacular and coming along wonderfully.

Attended the India US Forum where they honored retired Police Chief Michael Lloyd; our Police Department keeps our community safe and their dedication and hard work is what has helped us become one of the safest towns.

Reported that this year there is a flat tax with no tax increase again this year. Our Township also has an AA+ bond rating. This is the lowest long term and short-term bond rates ever which is a strong sign of being fiscally stable. Thanked the Administrator and Finance Department for all of their hard work in keeping our finances under control and getting such great bond ratings.

Reported that the Otto Pohl property located on Perrineville Road on the eastern side of Federal Road which has been preserved in perpetuity by the County; there is 59 acres of beautiful forest.

Administrator's Report – Reported that we have been fighting hard for our fair share of funding for our schools.

The Daniel Road and 10th Street Improvement Project is moving forward and is 80% State funded.

Another project on tonight's agenda is the Schoolhouse Road Improvement Project which will be 100% Grant funded. He added that he is very happy to see our Township receiving these grants. Thanked Engineer Rasimowicz for getting a lot of bidders for these projects.

Reported that the Clean Communities Program received \$94,000 which allows them to run a lot of great programs with this money and helps maximize State funding.

In regards to the Otto Pohl property, it is an exciting addition to the Township and helping us preserve 50% of Open Space.

Another item on the agenda that is exciting is R-6-2019-177 which allows us to conduct an environmental and feasibility study for 76 acres located between Union Valley Road and Federal Road. The County would like to partner with us in this as well which is great.

Commented on the budget; as the Mayor mentioned we worked hard on doing a reasonable capital plan.

Finally, in regards to Resolutions R-6-2019-193 through R-6-2019-196, these actions are taken very seriously and we are adamant in protecting our Township and residents. We have had to step in before with other projects and have had success in getting the necessary work completed. As the Mayor and others mentioned, Lennar is not meeting their expectations and now the pressure is starting to ramp up to get the work done.

Engineer's Report – Reported that the traffic signalization project on Perrineville Road and Prospect Plains Road is basically complete and the signal is operational.

The Daniel Ryan Concession Stand and ADA Restrooms Project is almost complete and they are wrapping up final lawn restoration this week. A final walk through is scheduled to be completed.

The Prospect Plains Soccer Field and ADA Restrooms Project is almost complete with the contractor wrapping up some final components.

The Monmouth Road Improvement Project is nearly complete. The contractor is working on punch list items and the sod issue will be addressed as well. There was a water leak that had been repaired by our Utility Department and should wrap up that part of the project.

The Township's 2019 Roadway Improvements Project Phase I and Phase II is looking to start shortly once school closes which encompasses portions of Federal Road, Union Valley Road, Dey Grove Road, Mounts Mills Road, Half Acre Road, Centre Drive and Erickson Avenue.

As mentioned, Daniel Road and 10th Street(\$475k grant) have been awarded, as well as, Schoolhouse Road (\$557k grant) which both received State grant money.

On tonight's agenda there was authorization to submit an application for the NJDOT 2020 Grant which will be used to repave the Camelot neighborhood and we hope to be doing that next year.

Lastly, Middlesex County repaved a number of streets throughout the Township which included Jamesburg

Half Acre Road, Prospect Plains Road and Butcher Road. In addition, the County will be repaving a portion of Spotswood Englishtown Road between Legends Drive and North State Home Road, as well as, a portion of Spotswood Englishtown Road between Mounts Mills Road and the Regency entrance.

Mayor Tamburro commented that he would like to see slow down/caution signs near the Prospect Plains Road Soccer Complex. Engineer Rasimowicz stated that he will look into having speed reduction signs posted in that area.

Council Vice-President Schneider –

- Attended the Fishing Derby where over 120 families participated. Thanked the Recreation Department for making that day run smoothly as it was such a wonderful day.
- Attended an Eagle Scout Code of Honor ceremony which is such an exciting achievement to be a part of.
- The summer classes will be starting at the Senior Center on July 1st and lasting for 10 weeks. Pre-registration is required with payment and anyone interested can contact the Senior Center for more information.

Councilman Dipierro –

- Reported that a resident called regarding a concern with a concrete planter that needs some attention at the Post Office; Concordia resident Maurice Mahler reported it and has worked with the Scouts to get different projects done around the Township, and it is suggested that we could possibly work on having someone do a project there.
- Requested that before the paving projects start a pre-construction video is done to go over with the Utility Department to make sure all of the lines are working. He added that there was recently a concern with a contractor who came in with heavy equipment and the water main services could be affected. He asked that a video and inspection is done prior to and after paving.
- Received a lot of phone calls due to the crazy amount of rain we have had; commented that the DPW does a great job no matter what is thrown at them. Any complaints or concerns made by residents that concern the DPW or Engineer's office are always handled greatly by those departments.
- Asked Engineer Rasimowicz if any of the projects he reported on had any change orders that we should be aware of; Engineer Rasimowicz answered that nothing substantial comes to mind but there may be some change orders. He explained that all of the projects are itemized and at the end of the project we are actually paying for what is complete. He explained further that every project will have a close out change order and some may decrease but nothing major. Councilman Dipierro commented that he knows the cap for a change order is 20% which is why he was asking.
- Commented that the intersection of Schoolhouse Road and 522, as well as, Texas Road near the reserve has brick pavers which is a nightmare as it is a heavily trafficked area. Understands that the Engineer is working with the contractor regarding the paving by Centennial Court and commented that hopefully if it cannot get down this year then hopefully it can get done next year.
- Extended congratulations to all of the MTHS graduates and their families.
- Went to Trenton today to attend a Real Estate seminar and Senator Sweeney and Governor Murphy were there scaring us about real estate values, saying how hard it is. They did say that the State is in a very big shortfall and talked about a lot of unfortunate reality to come.
- The sidewalk fund was created because the schools were cutting bussing and as taxpayers we do not want to pay for sidewalks for children or anyone because the developers do not to pay for it. He commented that he thinks the fund is great so the cost does not have to keep coming to the taxpayers. Engineer Rasimowicz and Councilman Dipierro discussed this further.
- Asked if there were any traffic improvement updates; Engineer Rasimowicz stated that Matchaponix and Spotswood Gravel Hill Road is in the land acquisition process. There were approximately ten parcels and that is moving along. Old Bridge Englishtown Road and Mounts Mills Road has the surveyor going back and forth with the County right now as the County is taking the lead on that project. Applegarth Road and Joan Warren Way has the developer installing a traffic light at that intersection. Route 33 Middlesex County has had did a final authorization done at their Freeholder meeting and now it is in the hands of the NJDOT; that will be a dedicated protected left-hand turn.
- Councilman Dipierro asked if there was a preliminary Open Space list that Center State is working on; Administrator Weinberg answered that it is expected at the end of the year. Councilman Dipierro stated that some of these parcels coming before us are not on the list provided so he is looking forward to an updated list.
- In regards to the paving projects slated for 2019, Councilman Dipierro asked if the streets were going to be closed in order to get the paving done. Engineer Rasimowicz answered that some will be closed as we are working closely with the Police Department and contractors and will be done on a job by job basis. All of the work should be complete before school is back in session. Phase I and Phase II are being done by the same contractors and the work is anticipated to be done before Labor Day.
- Asked Director Stroin the status of the Mounts Mills Road and Spotswood Englishtown Road construction, as the last he has heard there are 24 Certificates of Occupancy issued and asked if the sewer is functioning and if once they hit 30 Certificates of Occupancy they will be at a standstill. Director Stroin responded that all Certificates of Occupancy have been stopped until they cease

their pump and haul operation. He added that it is anticipated that the pump station and force main will be operational by this Wednesday. There will be all of the equipment manufacturers present and training manuals have been given to all Utility Department employees.

- Finally, Councilman Dipierro wished everyone a Happy 4th.

Councilman Baskin –

- Thanked the Mayor, Attorney and Council for their actions regarding Lennar and Stonebridge. Lennar needs to be more diligent and timelier and do the right thing.
- The Dey Farm will be having an Open House on the first Sunday of each month. The hours will be from 1-4pm.

Councilwoman Cohen –

- Wished everyone a Happy 4th. Reminded parents to be cognizant of their children and the risk for hearing loss during the fireworks. Explained that it is very important to keep little one's ears protected especially.
- National Night Out will be held on August 6th. Encouraged all to take advantage of this event to learn more about the services the Township offers.
- The Summer Concert Series is held on Thursday evenings at Thompson Park.

Council President Dalina –

- Happy to see such a wonderful turn out to the Fishing Derby. Glad it has been moved to Saturday so more families could participate.
- As liaison to the Recreation Advisory Board, the topic at the last meeting was concussions and how to provide a baseline for a concussion so it would not be up to the coaches or parents to determine as to whether or not a child has one, instead it would be based on the baseline set.
- Traveling down Ellingham Avenue it is noted as a nice area to ride a bike in. Very happy to see the progression made with our recreation areas as there is nothing better than walking or riding a bike to a neighborhood park.
- Mayor's Cup events are continuing with basketball and then table tennis. The events will be held at the Community Center.

PUBLIC:

Roger Meaney, 22 Harrigan Ave. – Mr. Meaney commented that last month the Council authorized a resolution which would pay Center State to do Phase I and a survey on land that is basically swamplands. Now the Council is looking at 75 acres of swampland that Center State is being paid to do a study on as well. Mr. Meaney stated that he filed an OPRA request for the Open Space List and the response received was that we contracted with Center State Engineering on January 1st to create this list and it is not completed yet. Mr. Meaney commented that there is no excuse as to why this is taking so long to produce. Further adding that when the Township is looking at properties that are not on any lists created in the past it seems like we are just pulling properties out of the air when there are properties available that to purchase that we are not even considering. He wishes that the Township would stop throwing money away into swamplands. Council President Dalina commented that some of what is being looked at is just a small piece to a bigger puzzle which requires you to look at the larger picture. He added that the land we have been looking at is not 100% swampland.

Pradeep Melam, 4 Jake Pl. – Mr. Melam stated that he observed in his tax bill that 60% of the money goes to the schools, while some others pay less. He asked who makes the decisions on how much money goes to the school, County, etc. He further asked if others can be taxed higher so the senior communities do not have to pay so much; Administrator Weinberg answered that the tax rate is struck by the different entities, being the County, schools, Fire Districts, etc. and everyone pays equally towards it, clarifying that everyone within the same town pays the same percentage to each entity. Attorney Schaffer added that the percentages cannot be skewed as matter of the State Constitution.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman commented that he received the list of items but it does not have unit numbers listed. He assumes that the price for the vehicles is cumulative and not individual. Administrator Weinberg commented that he has a breakdown and would be happy to go over that with him.

In regards to Resolutions R-6-2019-193 through R-6-2019-196; the first two items are for the clubhouse and then sitework and the third and fourth items are unspecified, with that set aside, the clubhouse if he remembers had complaints from the residents because of the air conditioning. Some of the issues could be gone after by the HOA because of the design being inadequate but some of these issues will go beyond what the bond will cover. Mr. Gunkelman asked how the extraordinary costs such as the legal and professional services will be paid for; Administrator Weinberg answered that any extraordinary costs will be billed to their escrow account bore by the developers so the taxpayers would not be impacted. Mr. Gunkelman commented that if the amount is greater than the bonds then the money will have to come from somewhere else and hopefully this action will inspire Lennar to do the work. Mr. Gunkelman stated that he is concerned that this will go into the area of Township funds and we should go after everything possible

to avoid that from happening. Engineer Rasimowicz responded that all four of these actions are for sitework including the clubhouse. He explained that the bonding is for the site improvements and not the buildings. The HOA is pursuing legal action against the developer regarding the issues mentioned and Engineer Rasimowicz is comfortable that there is enough bond money to cover the costs should Lennar not fulfill their obligations.

Harold Kane, 480 Newport Way – Mr. Kane asked in regards to the 76 acres of land acquisition, why we are pursuing this now when essentially, we already own the land. The Zoning is for Farmland Preservation of very low density where the minimum lot is 10 acres where even if someone wanted to build on it, it would only equate to about 7 houses. The current assessment on the land is \$849,000 and that is a tremendous amount of money for something that has water problems on it and will most likely never be built on. Administrator Weinberg commented that there must be a value to it to yield that level of taxes. On the State map it is not always accurate but there looks to be at least 10+ buildable acres and it is surrounded by 3 other Open Space properties. Engineer Rasimowicz stated that there is an authorization for an appraisal and at that point the Council can consider the actual price. In order to get Open Space, you have to have an interested seller. Once we get the appraisal it will come back to Council to decide if it is something worth purchasing.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio extended her condolences to the Mayor and his family. In regards to Resolution R-6-2019-182, Mrs. Arminio asked for an explanation. Administrator Weinberg answered that we have a legacy farmer on that property that grows vegetables. He further stated that this is something Councilman Dipierro brought to our attention that we do not have a lease in place. This prevents us from having to cut the grass and take care of this property.

Mrs. Arminio asked what is the nature of the litigation, referencing Resolution R-6-2019-180; Administrator Weinberg answered that the developers sued the Mayor and Planning & Zoning Boards for the development on Route 33 named the Eagles Nest. Mrs. Arminio commented that the eagles are a protected species and this was all approved so why they are suing is beyond understanding.

Commented that the DPW is an amazing department as there was an overflowing culvert on her street and before she had to call to report it, it was already being taken care of. She gave them a shout out for being such an extraordinary department.

Asked where the money comes from regarding Resolution R-6-2019-174; Administrator Weinberg answered that we have a Basin Trust Fund.

Councilman Dipierro added that in regards to Resolution R-6-2019-182 we can maybe speak with the owners of that farm to see if they would donate vegetables to our local food pantry. Administrator Weinberg stated that was a great idea and now that our food pantry is located at the Senior Center, we have the means to refrigerate it. Attorney Schaffer added that we can ask the lessee if they would be willing to do that.

Lucille DiPasquale, 70 Ave K – Ms. DiPasquale spoke about the 1st Clean Sweep of Monroe which was a huge success. The Environmental Action Club from the high school participated and she wanted to commend the Mayor and Council for this event. There were over 100 volunteers and a great job was done by all, especially Joe Slomian from our DPW.

The Green Fair is set for September 28th and we are still looking for sponsors. \$100 would buy a quarter page advertisement in the handbook. The applications for those interested are available at the Receptionist's desk in the Municipal building.

Councilman Baskin added that he was one of the volunteers during the cleanup and was shocked to see all of the debris along Veteran's Park. He suggested that maybe more receptacles can be placed in that area.

UPON MOTION made by Councilwoman Cohen and seconded by Councilman Dipierro the Combined Agenda/Regular Meeting was Adjourned at 8:33pm.

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: August 5, 2019.