



6. **ORDINANCE(S)** for **INTRODUCTION** at the June 28, 2021 Regular Meeting:

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7. **RESOLUTIONS** for **CONSIDERATION** under **CONSENT AGENDA** at the June 28, 2021 Regular Meeting: (R-6-2021-152 – R-6-2021-172)

- R-6-2021-152**            **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).**  
(Click It or Ticket Seat Belt Mobilization - \$6,000.00)
  
- R-6-2021-153**            **RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1012 MORNING GLORY DRIVE.**
  
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(Additional \$6,000)

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

OPEN:                                    MOTION: \_\_\_\_\_                    SECOND: \_\_\_\_\_

CLOSE:                                    MOTION: \_\_\_\_\_                    SECOND: \_\_\_\_\_

9. **Agenda Meeting Adjournment.** Time: \_\_\_\_\_  
MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**JUNE 28, 2021 REGULAR MEETING TO FOLLOW**

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

**REGULAR MEETING  
OF THE MONROE TOWNSHIP COUNCIL**

**JUNE 28, 2021**

**AGENDA**

1. **REGULAR MEETING CALLED TO ORDER:** Time: \_\_\_\_\_  
MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

2. **MOTION** to approve the payment of **CLAIMS** per run date **JUNE 24, 2021**.  
MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

3. **APPROVAL OF MINUTES:**  
**MOTION** to approve the **MINUTES** of the following meetings as written and presented:  
**June 2, 2021 – Agenda and Regular Combined Meeting**  
MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

4. **ORDINANCE(S) for SECOND READING:**  
**O-6-2021-014** **ORDINANCE AUTHORIZING THE TOWNSHIP TO ACQUIRE, BY DONATION, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 22.13, LOT 13 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, STATE OF NEW JERSEY, FOR OPEN SPACE AND OTHER GOVERNMENTAL PURPOSES.** (Donated parcel of land between James Monroe Parke and Federal Road - .69 acres adjacent to Open Space property)

PUBLIC HEARING OPEN: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_  
PUBLIC HEARING CLOSE: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_  
ADOPTION: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**O-6-2021-015** **AN ORDINANCE BY THE TOWNSHIP OF MONROE IN MIDDLESEX COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF LICENSED CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES BY CREATING A NEW CHAPTER 61 ENTITLED “CANNABIS, PROHIBITION OF ALL CLASSES OF BUSINESSES” OF THE CODE OF THE TOWNSHIP OF MONROE.**  
PUBLIC HEARING OPEN: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_  
PUBLIC HEARING CLOSE: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_  
ADOPTION: MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

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

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MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_                    ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

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MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_                    ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

**O-6-2021-018**                    **BOND ORDINANCE PROVIDING FOR VARIOUS 2021 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 \$3,328,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,169,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_                    ROLL CALL: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

6. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA: (R-6-2021-152 – R-6-2021-172)**

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

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

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

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

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

8. **Administrator's Report.**

9. **Engineer's Report.**

10. **Council's Reports.**

11. **Mayor's Report.**

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

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

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

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

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

13. **Adjournment.** MOTION: \_\_\_\_\_

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

Time: \_\_\_\_\_

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**MEETING OF THE MONROE TOWNSHIP COUNCIL – June 28, 2021**

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

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

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

**ALSO, PRESENT:** Business Administrator Alan M. Weinberg, Township Attorney Lou Rainone, Engineer Mark Rasimowicz, CFO George Lang and Utility Director Joseph Stroin.

**ABSENT:** Mayor Stephen Dalina, Chief Michael Biennas and Councilman Charles Dipierro.

There were approximately thirty-three (33) members of the Public who joined remotely.

Council President Miriam Cohen requested the Deputy Township Clerk to read the following **SUNSHINE LAW** into the record:

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

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

The Township of Monroe will be holding all public meetings **electronically only** via zoom until the State of Emergency has been lifted and further action has been taken by the Township Council authorizing the resumption of meetings in the Monroe Township Municipal Building.

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.

Deputy Township Clerk Christine Robbins read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, JUNE 28, 2021** Regular Council Meeting:

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- R-6-2021-170** RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.
- R-6-2021-171** RESOLUTION AUTHORIZING THE EXECUTION OF LICENSE AGREEMENTS BY AND BETWEEN THE TOWNSHIP OF MONROE AND MONROE TOWNSHIP FIRE DISTRICTS ONE AND THREE IN CONNECTION WITH THE ACQUISITION OF TWO-WAY PORTABLE RADIOS FOR EMERGENCY CONNECTIVITY.
- R-6-2021-172** RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2021 FORD POLICE INTERCEPTOR FROM BEYER FORD USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$67,617.96)

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

**PUBLIC COMMENTS:**

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab asked in regard to Resolution R-6-2021-156 if an explanation could be given to how these funds would be used for Clean Communities; Administrator Weinberg answered that they can be used for programs or equipment purchases that are used all for cleanup purposes.

Mr. Parab asked in regard to Resolution R-6-2021-168 which locations are the roadway improvements being done at, to which Engineer Rasimowicz responded that most of the work is being done at the Utility Department, as well as, the Municipal Building, Police Station, Library and a few other locations throughout the town.

Mr. Parab asked if a background on Ordinance O-6-2021-015 could be given and asked how much in taxes the Township could charge and where the money would go. Mr. Parab also asked what made Council decide not to go forward with this; Township Attorney Rainone responded that there is no good way to estimate what the taxes would be overall, and that Township tax was 1-2% depending on the transaction.

**Edward “Lefty” Grimes, SativaCross.org** - Mr. Grimes asked regarding Resolution R-6-2021-160 if the Council was going back to public meetings leaving no way for residents to interact remotely. He stated that we need to have the ability to interact online, and it is important to allow disabled individuals to continue to interact in this way; Administrator Weinberg answered that we plan to move forward with online streaming but will only take questions from the public if they are in person.

**Phil Levy, 92 Kings Mill Rd.** - Mr. Levy commented in regard to Ordinance O-6-2021-015 that this only refers to what is done within the Township and added that if someone wanted to open a store on the border of Cranbury and Old Bridge they could. He stated that we are denying the access to sales of cannabis within our borders and does not understand that fight against it. He continued stating that the federal government will eventually stop fighting it as most states have and we as the taxpayer are losing real estate and other tax benefits that we would want to put on sale of that product, and it would be a mistake to approve this.

**Hugh Giordano, 57 Argyle Ave. Blackwood, NJ** - Mr. Giordano, introduced himself as a worker with the United Food & Commercial Workers Union (UFCW) which is the official labor union who represents cannabis from seed to sale. He stated that this ban is an attack against workers because it prevents jobs. He suggested Council to model their resolution like the City of Bayonne has done which lays out a merit-based system that protects consumers, residents and workers. He noted that it is a conservative opt-in model and asked for the Council to please reconsider their decision. Mr. Giordano offered a tour of the Garden State Dispensary to Chief Biennas and the Council if they are interested.

**Jamie Vansciver, 127 Greenwich Ave. Paulsboro, NJ** - Mrs. Vansciver stated she was calling on behalf of Setiva Cross and is a cannabis patient. She stated that while she understands for the general population that it is safe to gather again there are still people who are not able to come out with the general public and asked for Council not to take remote meetings away, adding that people do care and their opinions need to be heard.

As far as banning cannabis, Mrs. Vansciver commented that it is a legal substance and asked why we would want the revenue leaving the town. She added that she would hope Council would help end the stigma for medical users.

**Marina Rebmann, 3 Borelle Sq. Parlin, NJ** - Mrs. Rebmann commented that medical cannabis has helped her a lot and this is a medicine that does the same for many people. She added that you cannot always get it from another town and there is not always a delivery system and if there is it costs more money and asked for consideration in having this medicine in the town.

**Sandra Cohen, 9 Winthrop Rd.** - Mrs. Cohen stated that it is an excellent idea to continue Zoom meetings for the residents adding that in the winter months many people do not want to drive in icy weather, and she hopes that the town will continue to do Zoom and in person meetings.

**Jeff King, 24 Elizabeth Pkwy. Eatontown, NJ** - Mr. King stated that he does believe that a hybrid model of the meetings would be helpful to all.

Mr. King stated that he is an advocate for cannabis enlightenment, and we need it as a healthy alternative to pharmaceuticals that are already accessible. He stated that he respects the Council wanting to do the best for the community and asked that we continue to do so for the greater good.

**Michele Arminio, 9 Nathaniel St.** - Mrs. Arminio asked for clarification on Ordinance O-6-2021-015 and stated that the biggest argument for not passing this is based on medical cannabis but there is no medical cannabis prohibition in the state and this is not what the issue of the Ordinance is. She added that she does not believe that the economic value outweighs everything in consideration of cannabis.

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

**UPON MOTION** made by Councilman Van Dzura and seconded by Council Vice-President Schneider, the Agenda Meeting was Adjourned at 7:03pm.

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

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Van Dzura, the Regular Meeting was Called to Order at 7:03pm.

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

**UPON MOTION** made by Councilman Van Dzura and seconded by Council Vice-President Schneider, the **CLAIMS** per run date of **6/24/2021** were approved for payment as written and presented.

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

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Van Dzura, the **MINUTES** of the **June 2, 2021 Agenda and Regular Combined Meeting** was approved as written and presented.

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

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

**O-6-2021-014                    ORDINANCE AUTHORIZING THE TOWNSHIP TO ACQUIRE, BY DONATION, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 22.13, LOT 13 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, STATE OF NEW JERSEY, FOR OPEN SPACE AND OTHER GOVERNMENTAL PURPOSES.** (Donated parcel of land between James Monroe Parke and Federal Road - .69 acres adjacent to Open Space property)

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

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

**WHEREAS**, the Township desires to acquire certain land known as and designated as Tax Block 22.13, Lot 13 on the Official Tax Map of the Township of Monroe, which is vacant land near the intersection of Federal Road and North Bergen Mills Road (the "Property") for the purposed of open space and/or other governmental use pursuant to a donation by the owner of the Property to the Township; and

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

1. The voluntary acquisition of the Property known as Block 22.13, Lot 13 (the "Property") for the purpose of open space and/or other governmental use pursuant to a donation of by the owner of the Property is hereby authorized.
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property.
3. The Mayor and Clerk are hereby authorized to sign and witness, respectively, any contract or other documents necessary to acquire the Property; and

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

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

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

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Van Dzura, the **PUBLIC HEARING for Ordinance O-6-2021-014** was **opened**. All were in favor, none opposed

**PUBLIC HEARING:**

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio asked if there was any anticipated use for this property and if any valuable consideration given to the person who is donating the land; Administrator Weinberg responded that the property is surrounded by other Open Space and there is no anticipated use. Township Attorney Rainone added an affirmative no to answer her questions.

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Van Dzura, the **PUBLIC HEARING for Ordinance O-6-2021-014** was **closed**. All were in favor, none opposed.

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

**O-6-2021-014**                      **ORDINANCE AUTHORIZING THE TOWNSHIP TO ACQUIRE, BY DONATION, REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 22.13, LOT 13 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, STATE OF NEW JERSEY, FOR OPEN SPACE AND OTHER GOVERNMENTAL PURPOSES.** (Donated parcel of land between James Monroe Parke and Federal Road - .69 acres adjacent to Open Space property)

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

Copy of Ordinance Duly Filed.  
O-6-2021-014

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

**O-6-2021-015**                      **AN ORDINANCE BY THE TOWNSHIP OF MONROE IN MIDDLESEX COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF LICENSED CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES BY CREATING A NEW CHAPTER 61 ENTITLED “CANNABIS, PROHIBITION OF ALL CLASSES OF BUSINESSES” OF THE CODE OF THE TOWNSHIP OF MONROE.**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the Township; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, the Township Council of the Township of Monroe has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on Township of Monroe in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Township of Monroe’s residents and members of the public who visit, travel, or conduct business in Township of Monroe, to amend the Township of Monroe’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Monroe; and

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality ; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in Township of Monroe, except for the delivery of cannabis items and related supplies by a delivery service.

2. **Chapter 61, “Cannabis, Prohibition of All Classes of Businesses”** is hereby created to read as follows:

**§61-1 Findings and Declarations. All classes of licensed cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service, are hereby prohibited within the geographical boundaries of the Township of Monroe.**

3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Monroe that is inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Middlesex County Planning Board, and as otherwise provided for by law.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Baskin, the **PUBLIC HEARING for Ordinance O-6-2021-015** was **opened**. All were in favor, none opposed

**PUBLIC HEARING:**

**Jeff King, 24 Elizabeth Pkwy. Eatontown, NJ**– Mr. King asked Council to vote “no” on this ordinance or at least table this to come up with a different solution. He added that the people have voted a resounding yes so we should honor the vote of the people.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that he sees a lot of people outside of Monroe coming to speak and added for us to make it clear that we are for medicinal marijuana and decriminalization but we are not for recreational uses. He added that we already have issues with vaping, opiates, and alcohol and we do not need another variant as we want to keep Monroe a clean community.

**Leslie Koppel, 10 Andrew Dr.**- Ms. Koppel stated that she supports allowing all legalization of marijuana within the Township as it opens the opportunities for economic development within the Township and provides medicine for those with medical ailments. She added that there are a lot of people here who would benefit from an open mind in the Township and believes that the Township is being short sighted in voting against this Ordinance.

**Edward “Lefty” Grimes, SativaCross.org**- Mr. Grimes asked Council to vote “no” on this Ordinance. He stated he is advocating for the sick and disabled as they believe in medicinal marijuana. He asked why Dr. Parab is not upset over the synthetic cannabis that pharmaceutical companies sell adding that we should be advocating for small mom and pop cannabis shops and to raise up local workers. He noted that we should make it a requirement that you need to live in the Township or County in order to operate a medical cannabis dispensary as that is very important.

**Phil Levy, 92 Kings Mill Rd.** - Mr. Levy asked Council to vote “no” on this Ordinance. He stated that with all due respect to Dr. Parab, this reminds him of when the U.S. prohibited alcohol and then changed their mind and we cannot be afraid of change. He added that this is a healing drug and Colorado makes a fortune off the open selling of marijuana and he has not seen any statistics that show Colorado having many more problems because of having cannabis sold nor does he see how it would negatively impact our town. He stated that whether we issue one or two licenses is up to Council but we have a bigger problem with drunk drivers on the roadway than we will ever have with cannabis users.

Township Attorney Rainone commented that the Township has taken the steps to prohibit all cannabis licenses within the Township. He explained that part of the rationale is the legislature giving municipalities 180 days to have ordinances in place. He noted that restrictions could always be loosened up, but we could not ban a license after it has been distributed. He further explained that our only actions are to either ban, accept or regulate where in town it is allowed.

Councilman Van Dzura commented that it is a mistake to adopt this ordinance and urged all his colleagues to vote “no” on this. He added that anecdotally he has spoken with several seniors who believe gaining the tax benefits are a good thing for the town. He went on to explain that this statute provides for six different types of licenses: cultivator, warehouse, wholesale, distributor, retail and delivery and people have only been discussing the retail section. 58% of the residents voted in favor of legalizing and it cannot be blamed that they were all youngsters. He noted that there are approximately 10 medical dispensaries in the State with Woodbridge Township having a medicinal facility located on Route 9 and their Township has voted to allow that one to become recreational but not allow other facilities. Councilman Van Dzura noted that if we go forward and ban it for 5 years someone looking to operate a facility out of our Township will have to look elsewhere which will equate us to missing out on tax revenue and jobs just to name a few. He noted that marijuana tax revenue in 2020 for states such as Massachusetts was \$81 million, Colorado was \$387 million, and Washington was \$469 million. It is hard to project what the revenue for our Township would be but we would miss the boat if we chose to turn away from the revenue. He strongly believes we should move forward with this, as it is 2021.

Councilman Baskin stated that while he respects Councilman Van Dzura’s opinion he plans to vote in favor of the Ordinance as it stands now. He added that he would not be opposed to an amendment but feels that the State law was done in haste. He questioned if an interested party came into town would they be able to get a variance, adding that we do not know how the commission is going to handle certain situations but in the future we can amend the law as things change.

Council Vice-President Schneider stated that this has been shoved upon us with no rules or regulations given. She stated that we need to pass this Ordinance and revisit once more research is done. She added that she is compassionate to the medical aspect, but recreational usage is still a mystery to her, and she does not find 180 days to be enough time to decide.

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Van Dzura, the **PUBLIC HEARING for Ordinance O-6-2021-015** was **closed**. All were in favor, none opposed.

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

**O-6-2021-015                    AN ORDINANCE BY THE TOWNSHIP OF MONROE IN MIDDLESEX COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF LICENSED CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES BY CREATING A NEW CHAPTER 61 ENTITLED “CANNABIS, PROHIBITION OF ALL CLASSES OF BUSINESSES” OF THE CODE OF THE TOWNSHIP OF MONROE.**

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

Copy of Ordinance Duly Filed.  
O-6-2021-015

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

**O-6-2021-016                    ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE TO DELETE SECTION 97-11 “APPEAL” OF CHAPTER 97 ENTITLED “TREE PRESERVATION”.**

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

Copy of Ordinance Duly Filed.  
O-6-2021-016

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



**O-6-2021-017                    BOND ORDINANCE PROVIDING FOR VARIOUS 2021 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$3,975,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$3,975,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

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

Copy of Ordinance Duly Filed.  
O-6-2021-017

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Van Dzura, an Ordinance of which the following is the title was Introduced on First Reading for Final Passage:

**O-6-2021-018                    BOND ORDINANCE PROVIDING FOR VARIOUS 2021 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 \$3,328,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,169,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

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

Copy of Ordinance Duly Filed.  
O-6-2021-018

**UPON MOTION** made by Councilman Van Dzura and seconded by Councilman Baskin the following Resolutions were moved for Adoption under the **CONSENT AGENDA:** (R-6-2021-152 – R-6-2021-172)

**R-6-2021-152                    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).**  
(Click It or Ticket Seat Belt Mobilization - \$6,000.00)

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2021 in the sum of \$6,000.00, which is now available as a revenue from the Click It or Ticket 2021 Seat Belt Mobilization.

**BE IT FURTHER RESOLVED** that a like sum of \$6,000.00 is hereby appropriated under the caption:

**“CLICK IT OR TICKET 2021 SEAT BELT MOBILIZATION”**

**SO RESOLVED**, as aforesaid.

**R-6-2021-153                      RESOLUTION AUTHORIZING THE SUBORDINATION OF  
AFFORDABLE HOUSING LIEN ON 1012 MORNING GLORY  
DRIVE.**

**WHEREAS**, on September 8, 2010, Ria Teresa I. Arevalo, (“Arevalo”), unmarried, gave a repayment mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe, requiring Arevalo to pay the sum of \$85,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1012 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on October 9, 2014, in Book 13985, Pages 0128 *et seq.* (the Affordable Housing Lien); and

**WHEREAS**, on September 8, 2010, Arevalo gave a mortgage to Wells Fargo Home Mortgage, in the amount of \$72,853.00, said mortgage having been recorded with the Middlesex County Clerk on September 22, 2010 in Mortgage Book 13985, Pages 0115 *et seq* (the “2010 Wells Fargo Home Mortgage”); and

**WHEREAS**, Arevalo has applied to refinance the 2010 Wells Fargo Home Mortgage and has asked the Township of Monroe to subordinate the Affordable Housing Lien; and

**WHEREAS**, the proposed refinancing qualifies for the subordination of the Township of Monroe’s affordable housing lien under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 *et seq* and the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.1 *et seq*;

**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 Mortgage Subordination, annexed hereto as Exhibit A.

**SO RESOLVED**, as aforesaid.

**R-6-2021-154                      RESOLUTION AUTHORIZING THE SUBORDINATION OF  
AFFORDABLE HOUSING LIEN ON 72 MORGAN WAY.**

**WHEREAS**, on October 2, 2014, Nilesh Dave, (“Dave”), unmarried, gave a repayment mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe, requiring Dave to pay the sum of \$125,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 72 Morgan Way, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on October 9, 2014, in Book 15793, Pages 0114 *et seq.* (the Affordable Housing Lien); and

**WHEREAS**, on October 9, 2014, Dave gave a mortgage to Capital One, N.A., in the amount of \$103,500.00, said mortgage having been recorded with the Middlesex County Clerk on October 9, 2014 in Mortgage Book 15793, Pages 0087 *et seq* (the “2014 Capital One, N.A. Mortgage”); and

**WHEREAS**, Dave has applied to refinance the 2014 Capital One, N.A. Mortgage and has asked the Township of Monroe to subordinate the Affordable Housing Lien; and

**WHEREAS**, the proposed refinancing qualifies for the subordination of the Township of Monroe’s affordable housing lien under the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 *et seq* and the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.1 *et seq*;

**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 Mortgage Subordination, annexed hereto as Exhibit A.

**SO RESOLVED**, as aforesaid.

**R-6-2021-155                      RESOLUTION AUTHORIZING THE DISCHARGE OF  
AFFORDABLE HOUSING LIEN GIVEN ON 1169 MORNING  
GLORY DRIVE.**

**WHEREAS**, on December 31, 2009, Michelle L. Ballard (“Ballard”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring Ballard to pay the sum of \$50,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1169 Morning Glory Drive, (the “Property”) as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on January 22, 2010, in Mortgage Book 13732 on Page 880 *et seq.* (the “Ballard Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

**WHEREAS**, on April 9, 2021, Ballard sold the Property to Mathew Polguy, (“Polguy”); Ballard executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to Polguy for the sum of \$131,316.00, said deed having been recorded with the Middlesex County Clerk on May 25, 2021 in Deed Book 18461, page 682 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

**WHEREAS**, on April 9, 2021, Polguy gave a recapture mortgage in accordance with the State’s Affordable Housing Program to the Township of Monroe requiring Polguy to pay the sum of \$12,684.00 to the Municipality upon the first non-exempt sale of their property having an address of 1169 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on May 25, 2021, in Mortgage Book 18461 on Page 704 *et seq.*; a copy of said mortgage is attached as Exhibit “C”; and

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

**WHEREAS**, Ballard sold the Property to Polguy, and Polguy executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Ballard Affordable Housing Lien should be discharged; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are authorized and directed to execute the Discharge of Mortgage, annexed hereto as Exhibit “D”.

**SO RESOLVED**, as aforesaid.

**R-6-2021-156                      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).  
(FY 2021 Clean Communities Grant - \$94,059.62)**

**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 2021 in the sum of \$94,059.62, which is now available as a revenue from the 2021 Clean Communities Grant;

**BE IT FURTHER RESOLVED** that a like sum of \$94,059.62 is hereby appropriated under the caption:

**“2021 CLEAN COMMUNITIES GRANT”**

**SO RESOLVED**, as aforesaid.

**R-6-2021-157                      RESOLUTION AUTHORIZING THE DISCHARGE OF  
AFFORDABLE HOUSING LIEN GIVEN ON 1204 MORNING  
GLORY DRIVE.**

**WHEREAS**, on March 27, 2014, Andrea C. Robalino (“Robalino”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring Robalino to pay the sum of \$90,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1204 Morning Glory Drive, (the “Property”) as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on July 1, 2014, in Mortgage Book 15699 on Page 545 *et seq.* (the “Robalino Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

**WHEREAS**, on July 10, 2020, Robalino sold the Property to Emeka Izegbu, (“Izegbu”); Robalino executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to Izegbu for the sum of \$165,000.00, said deed having been recorded with the Middlesex County Clerk on July 23, 2020 in Deed Book 17955, page 1712 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

**WHEREAS**, on July 15, 2020, Izegbu gave a recapture mortgage in accordance with the State's Affordable Housing Program to the Township of Monroe requiring Izegbu to pay the sum of \$110,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1204 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on July 23, 2020, in Mortgage Book 179551 on Page 1720 *et seq.*; a copy of said mortgage is attached as Exhibit "C"; and

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

**WHEREAS**, Robalino sold the Property to Izegbu, and Izegbu executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Robalino Affordable Housing Lien should be discharged; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are authorized and directed to execute the Discharge of Mortgage, annexed hereto as Exhibit "D".

**SO RESOLVED**, as aforesaid.

**R-6-2021-158                      RESOLUTION AUTHORIZING AND APPROVING THE  
RENEWAL OF LIQUOR LICENSES FOR THE 2021– 2022  
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 2021-2022 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 2021 – 2022 be and are hereby renewed for the said licensing term, effective July 1, 2021;

**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 2021 – 2022, effective July 1, 2021 – June 30, 2022.

**SO RESOLVED**, as aforesaid.

**R-6-2021-159                      RESOLUTION AUTHORIZING REFUND OF THIRD PARTY  
TAX LIEN PREMIUM PAYMENTS.**

**WHEREAS**, Premiums have been paid for various properties for the purchase of Tax Lien Certificates for properties listed on the Tax Map of the Township of Monroe, in the amount of Seventy-Seven Thousand Eight-Hundred dollars and no cents (\$77,800.00),

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

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

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

**SO RESOLVED**, as aforesaid.

**R-6-2021-160                    RESOLUTION AUTHORIZING THE TOWNSHIP TO RETURN TO PUBLIC MEETINGS PURSUANT TO THE OPEN PUBLIC MEETINGS ACT AND CONTINUING ESTABLISHED RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC MEETINGS. (Returning to in-person meetings effective July 1<sup>st</sup>)**

**WHEREAS**, pursuant to Executive Order #103, issued by the Governor on March 9, 2020, a public health emergency was declared regarding the COVID-19 virus, which prohibited the gathering for public meetings in person; and

**WHEREAS**, the Department of Community Affairs enacted Emergency rules and regulations regarding remote public meetings in response to this Executive Order; and

**WHEREAS**, the purpose of N.J.A.C 5:39-1 et seq, Emergency Remote Meeting Protocol for Local Public Bodies, was to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

**WHEREAS**, N.J.A.C 5:39-1.3 permitted a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

**WHEREAS**, a “Declared Emergency” means a public health emergency pursuant to the Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

**WHEREAS**, on November 20, 2020, the Township Council passed a resolution which authorized emergency remote meeting protocol pursuant to these rules and rules of decorum for public participation; and

**WHEREAS**, on June 4, 2021, the Governor rescinded the public health emergency with Executive Order #244; and

**WHEREAS**, the Council would like to resume conducting public meetings under the Open Public Meetings Act since a public health emergency no longer exists;

**NOW THEREFORE BE IT RESOLVED BY** the Township Council of the Township of Monroe that the standards and procedures for emergency remote meeting protocol as set forth in Resolution No. R-11-2020-231 are hereby rescinded whereby no remote participation or remote comments from the public will be received or permitted and open public meetings shall resume in the Township on or after July 1, 2021.

**BE IT FURTHER RESOLVED THAT** the policies and rules established to promote civility and maintain decorum at all local public meetings as established by R-11-2020-231 shall remain in effect and apply to all members of the public in attendance at any public meeting that is open to the public in the Township of Monroe.

**SO RESOLVED**, as aforesaid.

**R-6-2021-161                    RESOLUTION AUTHORIZING ADDITIONAL REPAIRS OF THE VETERAN’S PARK SPRAY PAD BY MAURITANO RECREATION CO., INC. (MRC) USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP RECREATION DEPARTMENT. (Additional \$6,000)**

**WHEREAS**, the Township of Monroe, County of Middlesex, by Resolution No. R-5-2021-123 authorized the repairs and replacement of the Veteran’s Park Spray Park Pad under the Educational Services Commission of New Jersey Cooperative Purchasing Program under contract number ESCNJ 20/21-06 to Mauritano Recreation Co. Inc.(MRC), at a total contract price in the amount of **\$121,500.00; and**

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

**WHEREAS**, it was founded by MRC that additional patch and prep work was needed and has requested an increase to the contract in the amount of **\$6,000.00**, as described in the attached quote; and

**WHEREAS**, the current contract price including the additional work is **\$127,500.00**; and

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

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in **Certificate No. C-2100029**, a copy of which is attached hereto as Exhibit "A"; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute the attached quote with **MRC P.O. Box 106 Spring Lake, N.J. 07762** authorizing the additional patch and prep work needed as reflected in the attached quote, at a total contract price in the amount of **\$127,500.00**.

**SO RESOLVED**, as aforesaid.

**R-6-2021-162                    RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF A MAINTENANCE GUARANTEE FOR R&W HOMES @ MONROE LLC, W&S 1145 PB-1161-15 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (Buckelew Ave)**

**WHEREAS**, R&W Homes @ Monroe, LLC has posted a Performance Guarantee with the Monroe Township Utility Department ("M.T.U.D.") for W&S 1145, Blk. 35.07, lots 19.01 & 19.02; and

**WHEREAS**, R&W Homes @ Monroe, LLC has requested the release of the Performance Guarantee upon posting and acceptance of a Maintenance Guarantee for water; and

**WHEREAS**, as defined in N.J.S.A. 40:55Dd-53 et seq., the M.T.U.D. has inspected the work performed and the work to be completed and has recommended the Township Council approve the release of the performance guarantee as detailed in a letter dated June 14, 2021, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Performance Bond #CT021254 in the amount of \$7,776.00 to be released and replaced with a maintenance guarantee in the amount of \$1,166.40 (15% of original bond).

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

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

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

**SO RESOLVED**, as aforesaid.

**R-6-2021-163                    RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN US HOME CORPORATION dba LENNAR AND THE TOWNSHIP OF MONROE FOR WATER AND SEWER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (The Venue at Monroe – Rhode Hall Rd)**

**WHEREAS**, US HOME CORPORATION dba LENNAR (the "Developer") is the developer of certain real property known as Block 81.01, Lot 80; Block 81.02, Lot 32; Block 81.03, Lot 30; Block 81.04, Lots 29 & 30; Block 81.08, Lots 119 & 120; Block 81.09, Lots 50 & 51; Block 81.12, Lot 29 (Formerly Block 81, Lots 3, 4, 5.03, 7.01, 7.03, 7.04, & 8) in the Township of Monroe, County of Middlesex, State of New Jersey (hereinafter referred to as the "Property"); and

**WHEREAS**, the Developer, who is currently developing an age restricted market rate development consisting of 587 3-Bedroom Units, a Clubhouse, Guard House, and one Community Garden Dog Park, proposes to develop Phase Two of that development, consisting of 179 dwelling units, of which 145 are detached and 34 are attached, with associated sanitary sewer and water infrastructure on the Property as outlined in the Monroe Township Planning Board Resolution No: 1224-20 granting Final Major Subdivision Plan for Phase 2 Approval with Bulk Variance adopted August 24, 2020 and memorialized on September 24, 2020 (hereinafter the "Project"); and

**WHEREAS**, the Developer has requested water and sewer service for the Project from the Monroe Township Utility Department (“M.T.U.D.”); and

**WHEREAS**, after analysis and review, M.T.U.D. has determined it is in its best interest to enter into a Developer’s Agreement in a form substantially similar to the form attached hereto in order to provide the Project with water and sewer service; and

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

**WHEREAS**, execution of the attached agreements in forms substantially similar to the forms attached hereto is in the best interests of the Township of Monroe; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute the Developer’s Agreement with US HOME CORPORATION dba LENNAR, for the purpose of providing water and sewer services to the Project, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-6-2021-164                    RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT BY AND BETWEEN JMJ-4 LLC AND THE TOWNSHIP OF MONROE FOR WATER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (16 Abeel Rd)**

**WHEREAS**, JMJ-4, LLC (the “Developer”) is the developer of certain real property known as Block 55, Lot 4 in the Township of Monroe, County of Middlesex, State of New Jersey (hereinafter referred to as the “Property”); and

**WHEREAS**, the Developer proposes to develop certain industrial development consisting of one lot: a 5.5 acre lot for a new warehouse, including 78,120 of warehouse facilities, 17,760 square feet of wholesale showroom, and 6,000 square feet of office facilities, with associated water infrastructure on the Property as outlined in the Monroe Township Planning Board Resolution No. 1216-19 granting Major Site Plan Approval with Bulk Variance adopted May 23, 2019 and memorialized on June 27, 2019 (hereinafter the “Project”); and

**WHEREAS**, the Developer has requested water service for the Project from the Monroe Township Utility Department (“M.T.U.D.”); and

**WHEREAS**, after analysis and review, M.T.U.D. has determined it is in its best interest to enter into a Developer’s Agreement in a form substantially similar to the form attached hereto in order to provide the Project with water service; and

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

**WHEREAS**, execution of the attached agreements in forms substantially similar to the forms attached hereto is in the best interests of the Township of Monroe; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute the Developer’s Agreement with JMJ-4, LLC, for the purpose of providing water services to the Project, attached hereto and made a part hereof.

**SO RESOLVED**, as aforesaid.

**R-6-2021-165                    RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HERITAGE CHASE, PHASE 1 – ROADWAY & PEDESTRIAN IMPROVEMENTS PROJECT. (NJDOT Local Aid Grant Application)**

**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-2022-Heritage Chase, Phase 1 - Roadway & Pedestrian Improvements-00303 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-6-2021-166                      RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SPOTSWOOD GRAVEL HILL ROAD – ROADWAY & PEDESTRIAN IMPROVEMENTS PROJECT. (NJDOT Local Aid Grant Application)**

**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-2022-Spotswood Gravel Hill Road - Roadway & Pedestrian Improvements-00302 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-6-2021-167                      RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR THE BRASUSA CONSTRUCTION, INC. PROJECT – BA-5149-17. (7 Union Hill Rd)**

**WHEREAS**, Brasusa Construction Inc. posted Performance Guarantees in the amount of \$1,426,400.21 for Block 37, Lot 12 project (BA-5149-17); and

**WHEREAS**, in correspondence Brasusa Construction Inc. has requested a reduction in Performance Guarantees posted; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantees, as detailed in his letter dated June 17, 2021, a copy of which is attached hereto as Exhibit A, as follows:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$1,283,760.19	\$142,640.02
Reduce to	\$1,015,659.36	\$112,851.04

; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted for the BA-5149-17 project be reduced, as reflected in the Township Engineer’s letter annexed hereto. This approval for reduction of Performance Guarantees is conditioned upon the provision of replacement guarantees and the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.



**R-6-2021-168                    RESOLUTION AUTHORIZING AWARD OF BID TO  
FERNANDES CONSTRUCTION INC. FOR THE 2021 PARKING  
LOT AND CONCRETE IMPROVEMENTS PROJECT.  
(\$191,679.33)**

**WHEREAS**, on June 22, 2021 seven (7) sealed bids were received by Monroe Township regarding the **2021 Parking Lot and Concrete Improvements Project**; and

**WHEREAS**, the Township Engineer, by copy of letter dated June 22, 2021, has recommended *Fernandes Construction Inc. 25 Stonegate Drive Monroe Twp., N.J. 08831*, to be awarded the contract based upon their bid submission in the amount of **\$191,679.33**; 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.'s C-2100033 and M-210019, 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 *Fernandes Construction, Inc.* for the **2021 Parking Lot and Concrete Improvements Project**, at a total contract price of **\$191,679.33**; and

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

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *Fernandes Construction, 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 *Fernandes Construction, 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-6-2021-169                    RESOLUTION AUTHORIZING THE EXECUTION OF A  
DEVELOPER'S AGREEMENT BY AND BETWEEN MATTHEW  
KISVER AND THE TOWNSHIP OF MONROE FOR WATER  
SERVICES FROM THE MONROE TOWNSHIP UTILITY  
DEPARTMENT ("M.T.U.D."). (254 & 258 Mounts Mills Road)**

**WHEREAS**, MATTHEW KISVER (the "Developer") is the developer of certain real property known as Block 35, Lot 31.05 & 31.06 in the Township of Monroe, County of Middlesex, State of New Jersey (hereinafter referred to as the "Property"); and

**WHEREAS**, the Developer proposes to create four (4) lots from the existing two (2) lots for the construction of four new residential dwellings, with associated sewer and water infrastructure on the Property as outlined in the Monroe Township Planning Board Resolution No. 1169-15 granting Preliminary Major Subdivision Approval adopted October 22, 2015 and memorialized on December 2, 2015 (hereinafter the "Project"); and

**WHEREAS**, the Developer has requested water and sewer service for the Project from the Monroe Township Utility Department ("M.T.U.D."); and

**WHEREAS**, after analysis and review, M.T.U.D. has determined it is in its best interest to enter into a Developer's Agreement in a form substantially similar to the form attached hereto in order to provide the Project with water and sewer service; and

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

**WHEREAS**, execution of the attached agreement in forms substantially similar to the forms attached hereto is in the best interests of the Township of Monroe; and

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

**SO RESOLVED**, as aforesaid.

**R-6-2021-170                      RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**

**WHEREAS**, the Tax Collector for the Township of Monroe has recommended this Council's approval to make refunds for tax overpayments in the amount of Two Thousand Eight Hundred and One dollars and Thirty Seven cents (\$2,801.37) 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-6-2021-171                      RESOLUTION AUTHORIZING THE EXECUTION OF LICENSE AGREEMENTS BY AND BETWEEN THE TOWNSHIP OF MONROE AND MONROE TOWNSHIP FIRE DISTRICTS ONE AND THREE IN CONNECTION WITH THE ACQUISITION OF TWO-WAY PORTABLE RADIOS FOR EMERGENCY CONNECTIVITY.**

**WHEREAS**, the need for Two-way Portable Radios for Emergency Connectivity has been determined by Monroe Township Fire Districts One and Three; and

**WHEREAS**, Fire Districts One and Three have requested the assistance of the Township in the implementation of the purchase of two-way portable radios for emergency connectivity as provided for in this Agreement; and

**WHEREAS**, Fire Districts One and Three and the Township wish to enter into License Agreements for the use of two-way portable radios for emergency connectivity; and

**WHEREAS**, Fire Districts One and Three and the Township and its staff and professionals have negotiated the terms and conditions of License Agreements for the use of two-way portable radios for emergency connectivity.

**NOW, THEREFORE, BE IT RESOLVED** on this 28th day of June, 2021, by the Township Council of the Township of Monroe (the "Council") that:

1. The Township is hereby authorized to execute License Agreements with Fire Districts One and Three for two-way portable radios for emergency connectivity.

**SO RESOLVED**, as aforesaid.

**R-6-2021-172                      RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2021 FORD POLICE INTERCEPTOR FROM BEYER FORD USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$67,617.96)**

**WHEREAS**, the Monroe Township Police Department has the need for two (2) 2021 Ford Police Interceptor Utility (K8A) AWD vehicle; and

**WHEREAS**, the State Approved Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program (Cooperative 65MCESCCPS) has awarded a contract for the Police vehicle under its contract number ESCNJ 20/21-09 for the purchase as follows:

**Two (2) 2021 Ford Police Interceptor Utility (K8A) AWD - \$67,617.96; and**

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

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Purchase Order No. 21001553 copy of which is attached hereto as Exhibit "A"; and

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

(1) Authorizes the Police Department to purchase said vehicle from Beyer Ford using the Educational Services Commission of New Jersey (ESCNJ) Cooperative Purchasing Program contract 20/21-09; and

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

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

**SO RESOLVED**, as aforesaid.

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

Copy of Resolutions Duly Filed.

**Administrator’s Report** – Administrator Weinberg gave an update on the BFI landfill reporting that there has been some important progress made today. The Mayor sent out a press release explaining the desire to put a force main to deal with the leachate issue; Mayor Dalina did meet with the NJDEP who agreed to work together on the force main program and move forward with that. He noted that it is absolutely critical that we move forward with this force main as it is the safest option to move this leachate and the responsible party should be paying for this moving forward.

The State budget had a lot of positive items including the expansion of the Homestead Rebate and Retirement Tax Exemption.

First day of Rec Camp was today which was a very hot but successful day. Indoor programming will begin at the Senior Center this week as well.

Master Plan Open House on June 30<sup>th</sup> at the Rec Center with the second one being held at the Library in July with the date to follow.

Music in the Park returns July 8<sup>th</sup> which is very exciting; Paris in N.Y. will be performing starting at 7:30pm.

The traffic light at the intersection of Matchaponix Avenue, Pergola Avenue and Spotswood Gravel Hill Road is now operational which is very exciting. Engineer Rasimowicz will report on other traffic light improvement to come.

Spoke briefly about the bonds savings the Township is taking advantage of.

**Engineer’s Report** – Engineer Rasimowicz reported that the traffic signal at the intersection of Matchaponix Avenue, Pergola Avenue and Spotswood Gravel Hill Road is now fully operational with some cleanup and restoration going on.

The roadway improvements in the Camelot neighborhood has started with the drainage and concrete work.

The 2021 Township Wide Roadway Paving Project will start next week on or about July 6<sup>th</sup> with 10 streets being paved as part of this program.

Middlesex County has begun milling and paving Pergola Avenue this week, from Jamesburg to the limit of our new traffic signal; they will also be paving Perrineville Road starting next week after July 4<sup>th</sup>, as well as, Forsgate Drive to the railroad crossing.

### **Council's Reports -**

#### **Councilman Van Dzura –**

- Commented that Mayor Dalina deserves kudos for all of his efforts on the BFI landfill issue.
- Juneteenth for the first time was a national holiday; glad to see it as it was overdue.
- Glad to see 35 more acres will be designated for farmland preservation - the Zimbicki Farm. The Township has paid \$189,000 toward the land and the State/County contributed as well.
- This week we saw the closing of Meadowview Care Center.
- Matchaponix is a safer road now that the light is there.

#### **Councilman Baskin –**

- Seconds a lot of what Councilman Van Dzura reported on; pleased to see the Township make progress on the BFI landfill issue.
- The developer of the Gables has installed a crosswalk and they are due to put up pedestrian crossing signs.
- Happy to report the Community Garden has improved the area outside the fence of the garden. An irrigation system has been placed and a lot of flowers have been planted.

#### **Council Vice-President Schneider –**

- Looking forward to going to the concert tomorrow evening at Thompson Park; concert begins at 7:00pm.
- The fishing derby is precious; it is so family oriented and wonderful.
- Jennifer Sternberg is retiring from the Commission on Aging.
- The preservation of farmland is phenomenal.
- Summer programs at the Rec Center are starting up soon.
- Bocce ball at the Senior Center has opened and is doing well.
- Looking forward to National Night Out on August 3<sup>rd</sup>.

#### **Council President Cohen –**

- The Cultural Arts Commission's outdoor concert series will be starting soon; they are looking for volunteers and ushers.
- Kudos to the Mayor for getting movement from NJDEP; it is important to support our Mayor in this endeavor.

**Mayor's Report** – Absent; No Report.

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

### **PUBLIC COMMENTS:**

**Lucille DiPasquale, 70 Ave K** – Mrs. DiPasquale thanked the Council for their contribution/donation of the property which is an outparcel of the park. She added that this is one of the most important things of our Township, our devotion in keeping 50% of our land Open Space.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab read aloud an article about which towns are rejecting the State's marijuana licenses, with most of the towns rejecting it being college towns or towns that feel rushed by the 180-day time limit. He stated that we are not talking about medical marijuana, we are talking about recreational use.

Mr. Parab stated that he was surprised to see we have a vaping store within the township.

Commented that he is happy to have 35 acres of open space approved.

Inquired as to when the library will open to have people come inside to read.

**Chrissy Skurbe, 21 Preakness Dr.** – Mrs. Skurbe stated that she saw that Veteran’s Park will be closed for the month of July in the mornings because it is solely being used for the Summer Rec Camp. She noted that the park is used a lot in the morning before the height of the heat and asked Council to reconsider closing the park every morning in July as it should be able to be utilized by all of the children in town.

Asked if the Council and Mayor was making a 100% commitment for the dedicated force main for the BFI Landfill, adding if that also means the Township is willing to pay for it; Administrator Weinberg answered that a force main is what we want to make sure moves forward and the ultimate responsible party would be paying for it as we need to provide relief to our residents. He added that the Mayor would take legal action if necessary. Township Attorney Rainone added that if need be the town will pay for the force main and then seek reimbursement from the responsible party.

Mrs. Skurbe commented that the money made from marijuana sales would be going to the State and not the Township. She asked that if we are really worried about the taxes, where is the Council in joining in for the fight for fair funding. Mrs. Skurbe went on to explain her concerns with the lack of funding.

**Katie Belko, 8 Brandon Ave.** - Ms. Belko commented that she is saddened to see the cannabis restriction pass.

Voiced her concern over the other care centers in the Township and asked what we are doing to support them and where will the individuals be rehoused; Administrator Weinberg answered that the individuals were moved to other licensed facilities throughout the State, adding that we have always supported group homes across the Township. He noted that this was a specific case of the operator not doing a good job and the Mayor needing to intervene in order to keep the residents safe.

Ms. Belko commented that we have a lot of buses who take Seniors to doctor’s appointments, but we do not have any services in the Township that provide for the developmentally disabled to get to their jobs.

**Michele Arminio, 9 Nathaniel St.** – Mrs. Arminio suggested in response to Ms. Belko’s comment about transportation needs for those with special needs, to utilize the buses from the Senior Center.

Mrs. Arminio asked for an explanation as to what the BFI force main is and where it ends and what the chemical composition of the leachate is; Township Attorney Rainone explained that it goes from the landfill to our pump station and it would be pumped directly out of the landfill and to the MCUA in Sayreville. It would then get treated at the center and ultimately discharged into their river. Administrator Weinberg added that there is a report on the website under BFI as to the components of the leachate and Director Stroin added that there are volatile toxins but they are below the actionable levels of the EPA. Mrs. Arminio surmised that there needs to be a different method in putting chemicals back into water system.

**Brian Fabiano, 19 Patricia Pl.** - Mr. Fabiano asked why the Fourth of July fireworks were cancelled; Administrator Weinberg answered that at the time we would have been securing the contracts such events were not permitted under the Governor’s Executive Orders. He further explained that there are certain deadlines by which to commit and at the time it was not possible.

Mr. Fabiano commented on the funding issues with education stating that he does not often see a response from Council. He asked what could be done and what is Council’s position on the fair funding issue; Council President Cohen directed Administrator Weinberg to respond to which Mr. Fabiano commented that he wanted to hear a response from Council and not the Administrator who is most often referred to answer questions. Councilman Van Dzura interjected stating that Mr. Fabiano does not have the right to dictate who answers the questions and his comments are out of order. Mr. Fabiano again asked for a response from Council regarding the issue with fair funding to which Council Vice-President Schneider answered that it is the formula that needs to be changed further explaining that she is all for it changing so the money would go to the needs of the children, and she has and will continue to fight for the Township’s fair share.

**Steve Martin, 24 N. Disbrow Hill Rd.** – Mr. Martin stated that he agrees with Councilman Van Dzura on his stance with marijuana and noted that we are a farm community and have some of the best farmers around that would love the chance to take advantage of this economic opportunity. He commented that voting this down does not give them the chance to take advantage of that and does a disservice to our Township. He stated that he is glad that we can revisit this Ordinance as he feels it would be of the best interests to the farmers of this Township.

Regarding the Zimbicki Farm he stated that this land is a 10-acre zone and by us putting a farmland preservation on this property it costs hundreds of thousands of dollars all just to save two houses from being built and the land is not even to be used for public use. He feels that in the future we should look into parcels of land that will allow the public to utilize.

Trucks at Inwood Estates is an urgent issue that needs to be addressed; thinks the force main is a great idea and it needs to happen sooner rather than later. The trucks are loud and compromising the quality of life of the residents in that area.

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

**UPON MOTION** made by Councilman Baskin and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 8:48pm.

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

*Christine Robbins*  
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CHRISTINE ROBBINS, Township Deputy Clerk

*Miriam Cohen*  
\_\_\_\_\_  
MIRIAM COHEN, Council President

Minutes were adopted on: August 2, 2021