

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**

**MARCH 4, 2019**

**AGENDA**

1. Call to Order. (7:00 p.m.)

2. Salute to the Flag.

3. **ROLL CALL:**

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

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

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

1. Posted on the Bulletin Boards within the Municipal Building on 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. **PROCLAMATION AND PRESENTATIONS:**

Proclamation: Youth Art Month – March 2019

6. **OATH OF OFFICE – administered to 3 new Police Officers:**

- Nicholas V. LaFata
- Zachary T. Wilson
- Stanley I. Ramnaidu

7. **MOTION** to approve the payment of **CLAIMS** per run date 2/26/2019.

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

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

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

8. **APPROVAL OF MINUTES:**

**MOTION** to approve the **MINUTES** of the following Meeting as written and presented:  
(Councilman Baskin was absent)

- **February 4, 2019 Combined Agenda and Regular Meeting**

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

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

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

9. **ORDINANCE(S) FOR SECOND READING:**

**O-2-2019-008 BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY, SIDEWALK AND CURB IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,333,300 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

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

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

**PUBLIC HEARING/DISCUSSION**

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

**O-2-2019-009 ORDINANCE RENAMING CHAPTER 22A, NOW ENTITLED, "REGISTRATION AND MAINTENANCE OF FORECLOSURE PROPERTIES" OF THE CODE OF THE TOWNSHIP OF MONROE.**

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

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

**PUBLIC HEARING/DISCUSSION**

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

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

**O-3-2019-010 ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING CHAPTER 97 ENTITLED "TREE PRESERVATION" OF THE CODE OF THE TOWNSHIP OF MONROE.**  
(Amending to require tree removal permits)

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

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

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

**O-3-2019-011 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6.**

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

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

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

11. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**  
(R-3-2019-049 – R-3-2019-083 with the exception of R-3-2019-063 and R-3-2019-074 which will be voted on separately)

- R-3-2019-049 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-3-2019-050 RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-3-2019-051 RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFER.**
- R-3-2019-052 RESOLUTION AUTHORIZING THE PURCHASE OF PANIC BUTTONS FOR MONROE TOWNSHIP MUNICIPAL BUILDINGS. (\$43,721.74)**
- R-3-2019-053 RESOLUTION REQUESTING A RE-ALLOCATION OF UNEXPENDED FUNDS FROM THE HOUSING AND COMMUNITY DEVELOPMENT PROGRAM. (\$15,000)**
- R-3-2019-054 RESOLUTION AUTHORIZING EMERGENCY 2019 TEMPORARY BUDGET APPROPRIATIONS.**
- R-3-2019-055 RESOLUTION AUTHORIZING SHAIN SCHAFFER, P.C. TO HANDLE VARIOUS WORKERS' COMPENSATION CLAIMS IN YEAR 2019 AS EXTRAORDINARY LITIGATION. (\$15,000)**
- R-3-2019-056 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR PROSPERITY FARMS - TOWNHOMES PB-1188-16. (Butcher Road)**
- R-3-2019-057 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE – PHASE 9 PB-1157-14.**
- R-3-2019-058 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR SHARED PROPERTIES – COMMERCIAL KIDDIE ACADEMY - BA-5144-17. (Applegarth/Rt 33)**
- R-3-2019-059 RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE POSTED FOR FOUR SEASONS RECREATION CENTER PB-1163-15. (Prospect Plains Rd.)**
- R-3-2019-060 RESOLUTION ENDORSING THE 2019 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE. (\$156,222 – Prospect Plains Rd. Soccer Complex ADA Improvements)**
- R-3-2019-061 RESOLUTION AUTHORIZING THE WAIVING OF APPLICATION FEES PERMITTED BY LAW IN CONNECTION WITH THE CONSTRUCTION OF THE NEW CHABAD JEWISH CENTER OF MONROE.**
- R-3-2019-062 RESOLUTION AUTHORIZING THE WAIVING OF APPLICATION FEES PERMITTED BY LAW IN CONNECTION WITH THE APPLGARTH CONGREGATION OF JEHOVAH'S WITNESSES PARKING LOT AND BUILDING RENOVATIONS AND UPGRADES.**
- R-3-2019-064 RESOLUTION ACCEPTING THE FINAL REPORT OF THE CABLE TELEVISION ADVISORY COMMITTEE'S REPORT REGARDING THE PROPOSED RENEWAL OF THE TOWNSHIP OF MONROE'S CABLE FRANCHISE AGREEMENT WITH COMCAST.**
- R-3-2019-065 RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE CULTURAL ARTS COMMISSION.**

- R-3-2019-066**                    **RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2019 VARIOUS MUNICIPAL ROADWAYS AND CONCRETE IMPROVEMENTS. (\$200,000)**
- R-3-2019-067**                    **RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2017-2018 PARK AND RIDE PAVEMENT AND LIGHTING IMPROVEMENTS. (\$45,000)**
- R-3-2019-068**                    **RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR CONTRACT ADMINISTRATION IN CONNECTION WITH ADA RESTROOM IMPROVEMENTS AT DANIEL P. RYAN FIELD. (\$40,000)**
- R-3-2019-069**                    **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY SEACOAST CONSTRUCTION INC. IN CONNECTION WITH SPOTSWOOD & ELLINGHAM IMPROVEMENTS. (Additional \$119,969.76)**
- R-3-2019-070**                    **RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS CAPITAL PROJECTS. (2019 Paving Projects and Park and Ride Improvements)**
- R-3-2019-071**                    **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY QUALITY 1<sup>ST</sup> CONTRACTING INC. IN CONNECTION WITH THE 2017-2018 TOWNSHIP WIDE CONCRETE IMPROVEMENTS PROJECT. (Decrease of \$33,321.82)**
- R-3-2019-072**                    **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY QUALITY 1<sup>ST</sup> CONTRACTING, INC. IN CONNECTION WITH THE 2017-2018 TOWNSHIP WIDE CONCRETE IMPROVEMENTS PROJECT.**
- R-3-2019-073**                    **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR DIPASQUALE – AVENUE K PB-1173-15.**
- R-3-2019-075**                    **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEE FOR 311 SPOTSWOOD-ENGLISHTOWN ROAD – W&S 1102 – BA-5070-12 POSTED WITH THE MONROE TOWNSHIP DEPARTMENT (“M.T.U.D.”).**
- R-3-2019-076**                    **RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1103.3 GATEWAY (WEST WATER TRACT) BA-5096-14 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-3-2019-077**                    **RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR GREEN ACRES FUNDING WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR JAMES MONROE PARK EXPANSION.**
- R-3-2019-078**                    **RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT BETWEEN MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE TOWNSHIP OF MONROE FOR THE PROVISION OF RECYCLING COLLECTION AND MARKETING SERVICES OF DESIGNATED RECYCLABLES. (1 year extension same terms)**



**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**REGULAR MEETING – MARCH 4, 2019**

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Stephen Dalina with a Salute to the Flag.

**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 sixty (60) members of the Public present in the audience.

Council President Dalina requested the Township Clerk to read the following **SUNSHINE LAW** into the record:

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

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

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

Council President Dalina read aloud the proclamation for Youth Art Month – March 2019.

Council President Dalina introduced Chief Michael Lloyd who welcomed the new members of the Monroe Township Police Department. Chief Lloyd stated he has the privilege to swear in three new officers this evening and thanked their families and friends, along with his fellow officers, for their support. He introduced Officer Nicholas LaFata who took the entrance exam in 2016; he is a lifelong resident of the Township and a graduate of both Monroe Township High School and Stockton University. Officer LaFata served as a civilian park ranger for the Middlesex County Parks Department. Officer LaFata's parents came up and held the bible while Township Clerk Patricia Reid administered the Oath of Office. Next, Chief Lloyd introduced Officer Zachary Wilson who took the entrance exam in 2016. He is also a lifelong resident of Monroe Township, graduating from Monroe Township High School, as well as, Westchester University. Prior to coming to the Monroe Township Police Department, Officer Wilson served as a Class II Special Officer with the Seaside Heights Police Department. Officer Wilson is also a graduate of the 45<sup>th</sup> Basic Class for Police Officers at the Cape May County Police Academy, receiving one of the highest awards during his time there. Officer Wilson's parents and sister came up and held the bible while Township Clerk Patricia Reid administered the Oath of Office. Lastly, Chief Lloyd introduced Officer Stanley Ramnaidu who comes from Bayshore, New York and is a graduate of Bayshore High School. After high school Officer Ramnaidu served honorably with the United States Marine Corp from 2010 through 2014. In 2018, Officer Ramnaidu graduated from Jersey City University receiving his Bachelor's in National Security. In his time spent with the Marine Corp, he was awarded the National Defense Service Medal, Korean Defense Service Medal and the Afghanistan Campaign Medal. Officer Ramnaidu has also graduated from the Monmouth County Police Academy, receiving many awards during his time there. Officers Ramnaidu's Mother Patricia came up and held the bible while Township Clerk Patricia Reid administered the Oath of Office.

Mayor Tamburro congratulated the newly appointed officers and thanked the families and fellow officers for all of their support and dedication to the Township.

Councilman Dipierro welcomed the newly appointed officers and thanked them for their service.

Council Vice-President Schneider congratulated the newly appointed officers and wished them to be safe while out doing their job.

Councilman Baskin thanked the Police Department and Chief Lloyd for making Monroe Township one of the safest places in New Jersey to live.

Councilwoman Cohen stated she is impressed with the new officers and their resumes. She commented that she loves the police force and wished them well on a long and wonderful career here.

Council President Dalina thanked the families and the Police Department for their dedication and support. He added that watching these young men grow into upstanding members of our Township. He wished them well in their careers here with the Police Department.

A five-minute recess was taken with the Regular Meeting reconvening at 7:26pm.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilwoman Cohen, the **CLAIMS** per run date of **2/26/2019** were approved for payment as presented.

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

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the **MINUTES** of the **February 4, 2019 Combined Agenda and Regular Meeting** were approved as written and presented.

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

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was moved on second reading for final passage:

**O-2-2019-008 BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY, SIDEWALK AND CURB IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,333,300 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

**ORDINANCE** as follows: (O-2-2019-008)

**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 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 sum of \$1,400,000, which sum includes \$66,700 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available in the Capital Improvement Fund 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 \$1,400,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in a principal amount not exceeding \$1,333,300 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 a principal amount not exceeding \$1,333,300 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 the purposes for the financing of which said bonds or notes are to be issued are for various roadway, sidewalk and curb improvements throughout the Township, all such improvements including, but not limited to, as applicable, milling, paving, reconstruction and resurfacing of the roadways, the repairing and/or removal and installation of curbs, sidewalks, driveway aprons, retaining walls and curb ramps, guardrails, concrete improvements, site work, clearing, and roadway painting and striping.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,333,300.

(c) The estimated cost of said improvements or purposes is \$1,400,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment for said improvements or purposes in the amount of \$66,700.

(d) The improvements or purposes set forth in Section 3(a) hereof shall include, but are not limited to, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, 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 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 or 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 or otherwise authorized by the Local Bond Law. 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 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, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**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 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 period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) 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, New Jersey Department of Community Affairs, 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 \$1,333,300 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$210,000 for items of expense listed in and permitted under section 20 of the Local Bond Law 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 bonds or notes authorized by this bond ordinance. The bonds or notes 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 bonds or notes 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. 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 Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Township covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, 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 the first publication hereof after final adoption as provided by the Local Bond Law.

Councilman Dipierro commented that the last time this was spoken about it was decided that the work would be completed before school starts and asked if this was in the bid; Council President Dalina stated he was not aware of that and that this was just for the financing of the project. Councilman Dipierro thanked him for the clarification.

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman asked what the period of the bonds were; Administrator Weinberg answered that he did not know off hand but he would have an answer for him momentarily. Mr. Gunkelman stated that he was concerned that we are bonding it and hopes that the bond period would not exceed the life of the pavement. He would hate to see future residents of Monroe paying for this when the roads are no longer in use. Administrator Weinberg answered that the period is 15 years which is set by the State, usually Bond Counsel will review the State guidelines and put in the duration. Mr. Gunkelman questioned in what world does asphalt last for 15 years; Administrator Weinberg responded that he is not an asphalt specialist and that the State sets the timeframe. Attorney Schaffer responded that the period of usefulness is 15 years and the bonds expire before the useful life. Mr. Gunkelman commented that the legislature says asphalt lasts 15 years but bonding 15 years for asphalt is unheard of. Council President Dalina commented that the likeliness is that it will be paid off before that. Mr. Gunkelman added that the useful life would not be that long for the asphalt on heavily traveled roads. Administrator Weinberg stated that it will go into bond anticipation note and then be rolled into permanent financing. It cannot have a useful life of more than 15 years statutorily according to bond law.

**Hy Grossman, 15 Doral Dr.** – Mr. Grossman stated that he has a little experience in this as he has been doing this for 50 years. After the 3<sup>rd</sup> year a maturity date has to be set so depending on where interest rates are this is perfectly in order. He added that even the longer terms rates are pretty low right now and within a 15 year life span is perfectly normal.

**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-2-2019-008 BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY, SIDEWALK AND CURB IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,333,300 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF 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

**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-2-2019-009 ORDINANCE RENAMING CHAPTER 22A, NOW ENTITLED, “REGISTRATION AND MAINTENANCE OF FORECLOSURE PROPERTIES” OF THE CODE OF THE TOWNSHIP OF MONROE.**

**ORDINANCE** as follows: (O-2-2019-009)

**BE IT ORDAINED**, by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey;

**Section 1.** Chapter 22A of the Code of the Township of Monroe be amended and renamed as follows:

**CHAPTER 22A – ~~VACANT AND ABANDONED PROPERTY~~  
REGISTRATION AND MAINTENANCE OF FORECLOSURE PROPERTIES**

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

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

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

**SO ORDAINED** as aforesaid.

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-2-2019-009 ORDINANCE RENAMING CHAPTER 22A, NOW ENTITLED, “REGISTRATION AND MAINTENANCE OF FORECLOSURE PROPERTIES” OF THE CODE OF THE TOWNSHIP OF MONROE.**

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-2-2019-009

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

**O-3-2019-010 ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING CHAPTER 97 ENTITLED “TREE PRESERVATION” OF THE CODE OF THE TOWNSHIP OF MONROE. (Amending to require tree removal permits)**

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-3-2019-010

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

**O-3-2019-011 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ESTABLISH A GOVERNMENT ENERGY AGGREGATION PROGRAM FOR ELECTRICITY PURSUANT TO P.L. 2003, c.24 AND N.J.A.C. 14:4-6.**

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-3-2019-011

Prior to making a motion adopting Resolutions R-3-2019-049 – R-3-2019- 083, with the exception of R-3-2019-063 and R-3-2019-074 which will be voted on separately, Councilwoman Cohen asked Council President Dalina if she could present the Cable Advisory Committee's report; Councilwoman Cohen stated that the report has been created and resolution R-3-2019-064 is on tonight's agenda accepting it. She introduced Mr. James Laskey who was in attendance to go over the report. Mr. Laskey stated that the current Comcast Franchise ends next year but in order to determine whether or not Comcast has satisfied all of the performance requirements for automatic renewal, the Cable Advisory Committee was created to make that determination. The Committee has concluded that Comcast should not be considered for automatic renewal as they have not complied with what had been promised in the current franchise agreement. Some of which were the fact that Comcast has failed to provide free service to various private schools and fire stations, they have failed to maintain the local service office in East Windsor with TV production facilities which were to be made available, as well as, the promise of the arbitrary removal of two access channels along with a few other smaller deficiencies. In general, the Committee felt very strongly about not granting Comcast automatic renewal. Comcast of course was not happy with this report and will go to the Board of Public Utilities to ask them to grant an automatic renewal anyway. Mr. Laskey explained that approving R-3-2019-064 will then take the next step in opposing the automatic renewal of the Comcast agreement by the Board of Public Utilities. Mr. Laskey explained that the Committee will keep the Mayor and Council posted as to what further action will be needed once that is done.

Councilman Baskin asked what happens if the Board of Public Utilities does not provide an automatic renewal; Mr. Laskey explained that there will be a negotiating session with Comcast. When it was renewed back in 2007, they contributed \$120,000 for technology upgrades at locations around Monroe, so those are the kinds of concessions that can be asked for if you are in a negotiation session. If they get an automatic renewal, they do not have to speak to us for 10 more years. We believe in their original application they committed to two channels but they said that they did not intend to provide to that in perpetuity and that they arbitrarily decided to remove on their own.

Mayor Tamburro stated the main complaint that residents have made is the price and content. He asked if Comcast would be willing to give our residents any perks that they have available; Mr. Laskey stated that in the report there is a long list of things we would like Comcast to do. If Comcast is entitled to automatic renewal they do not have to discuss those with us but if they are not successful then we will present what we would like for them to offer during the negotiation session. Mayor Tamburro asked why Verizon can be here without being approved by the Township. Mr. Laskey explained that Verizon persuaded the legislature to allow them to franchise in all of New Jersey. They pay a much higher franchise fee at 6% then what Comcast pays which is 2%. Once Verizon enlarges their service territory the franchise fee paid by Comcast would also be increased.

Councilman Dipierro asked if we are not under contract with Comcast, do we still receive that franchise fee; Mr. Laskey answered that he believes that they would be required to still pay as more than likely they will not be going anywhere. Councilman Dipierro asked if this will now open the door to other franchises, such as Verizon; Mr. Laskey answered that Verizon is not required to provide service throughout the entire Township. He added that through our political efforts in Trenton we can try and negotiate and if Verizon wanted to run their lines through a greater portion of town then we would be in support of that but they are not required to. Councilman Dipierro asked if we could negotiate with both Verizon and Comcast at the same time; Mr. Laskey further explained.

Council Vice-President Schneider asked what are the odds that they would still receive an automatic renewal; Mr. Laskey answered that it would come down to whether or not they substantially complied. Our intent is to file this report which itemizes what was not done and let the Board of Public Utilities to decide. Council Vice-President Schneider asked if their wiring is all underground; Mr. Laskey answered he believes it is most likely both above and underground.

Administrator Weinberg asked Mr. Laskey for a brief clarification stating that R-3-2019-064 is to accept the report and oppose automatic renewal of Comcast's contract, with the report then being forwarded to the Board of Public Utilities; Mr. Laskey agreed.

Councilwoman Cohen thanked the Council and the Committee for their hard work in getting this report together and allowing her to be involved in the process of it all.

Councilman Dipierro stated that he needed to recuse himself for R-3-2019-080; Council President Dalina stated that R-3-2019-080 would be removed from the consent Agenda and considered separately.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider the following Resolutions were moved for Adoption under the **CONSENT AGENDA:**  
(R-3-2019-049 – R-3-2019- 083 with the exception of R-3-2019-063, R-3-2019-074 and R-3-2019-080 which will be voted on separately)

**R-3-2019-049 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**

**WHEREAS**, the Tax Collector for the Township of Monroe has recommended this Council's approval to make refunds for tax overpayments in the amount of Eleven thousand eight hundred nineteen dollars and forty-six cents (\$11,819.46) 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-3-2019-050 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 Seventeen thousand six hundred dollars and no cents (\$17,600.00),

**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-3-2019-051 RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFER.**

**WHEREAS**, there are certain 2018 budget appropriation reserves of the Township of Monroe which may be insufficient to meet the requirements of the Township's affairs; and

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

**WHEREAS**, Revised Statutes 40A:4-59 provides for the transfer from such accounts that have unexpended balances to those accounts which have deficiencies;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe that the transfers itemized below are hereby authorized among the following 2018 accounts:

<b>CURRENT FUND TRANSFER FROM</b>	<b>TRANSFER AMOUNT</b>
POLICE DEPARTMENT	
Salary & Wage	\$143,000.00
DIVISION OF AMBULANCE	
Salary & Wage	<u>\$ 58,000.00</u>
<b>TOTAL CURRENT FUND:</b>	<b>\$201,000.00</b>
<b>TRANSFER TO:</b>	<b>AMOUNT</b>
DEPARTMENT OF PUBLIC WORKS	
Other Expenses	\$ 75,000.00
WORKERS COMPENSATION	
Other Expenses	\$ 50,000.00
ACCUMULATED SICK	
Salary & Wages	\$ 50,000.00

TAX ASSESSOR	
Other Expenses	\$ 25,000.00
LANDFILL	
Other Expenses	\$ <u>1,000.00</u>
<b>TOTAL CURRENT FUND:</b>	<b>\$201,000.00</b>

**SO RESOLVED**, as aforesaid.

**R-3-2019-052 RESOLUTION AUTHORIZING THE PURCHASE OF PANIC BUTTONS FOR MONROE TOWNSHIP MUNICIPAL BUILDINGS. (\$43,721.74)**

**WHEREAS**, a request from the Monroe Township Police Department has been received to purchase and have installed three (3) APX 4500 Mobile UHF units and thirty eight (38) panic buttons in eight (8) Township buildings; and

**WHEREAS**, the purchase and installation of panic buttons will be made under New Jersey State Contract No. 83909 from *Motorola Solutions, P.O. Box 1335 Burlington, N.J. 08016*, an authorized vendor under the New Jersey State Contract in the amount of **\$10,549.50**; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1900004** copies of which are attached hereto as Exhibit "A";

**WHEREAS**, the balance of equipment, installation and programming will be done by **ESS, Inc., 141 River Road Suite #6 Nutley, N.J. 07110**, which is a company that is authorized by Motorola under their State Contract number to install and program their equipment in the amount of **\$33,172.24**; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. **C-1900005** copies of which are attached hereto as Exhibit "B";

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with *Motorola Solutions and ESS, Inc.* for the purchase and installation of three (3) APX 4500 Mobile UHF units and thirty eight (38) panic buttons at a total contract price in the amount of **\$43,721.74**;

**SO RESOLVED**, as aforesaid.

**R-3-2019-053 RESOLUTION REQUESTING A RE-ALLOCATION OF UNEXPENDED FUNDS FROM THE HOUSING AND COMMUNITY DEVELOPMENT PROGRAM. (\$15,000)**

**WHEREAS**, on February 6, 2019 the Housing and Community Development Citizens Advisory Committee ("HCD Citizens Advisory Committee") held a Public Hearing in the Municipal Complex, One Municipal Plaza for the purpose of providing information about the Community Development Block Grant Program ("CDBG"), soliciting comments, ideas and recommendations, verbally or in writing and identifying proposed municipal projects; and

**WHEREAS**, at said meeting it came to the attention of HCD Citizens Advisory Committee that there are unexpended funds allocated for the Friends In Need program as follows: 2016 \$6,436.03 and 2017 - \$8,563.97; and

**WHEREAS**, the Township wishes to re-allocate the unexpended appropriations which are no longer needed for said purpose; and

**WHEREAS**, there is a need for additional funds for the construction of ADA compliant facilities at the Soccer Field Complex located on Prospect Plains Road.

**NOW THEREFORE BE IT RESOLVED** that the Township Council endorses the request for the re-allocation of the Township's unexpended HCD funds in the amount of \$15,000.00 for ADA Improvements for the Prospect Plains Soccer Field complex.

**BE IT FURTHER RESOLVED** that three (3) certified copies of this Resolution endorsing this project as well as the Project Proposal Form be forwarded to Melissa Bellamy, Middlesex County Housing and Community Development Office, 75 Bayard Street, 2<sup>nd</sup> Floor, John F. Kennedy Square, New Brunswick, NJ 08901.

**SO RESOLVED**, as aforesaid.

**R-3-2019-054 RESOLUTION AUTHORIZING EMERGENCY 2019 TEMPORARY BUDGET APPROPRIATIONS.**

**WHEREAS**, an emergent condition has arisen with respect to payment of normal operating expenses and no adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

**WHEREAS**, the total emergency temporary Resolutions adopted in Year 2019, pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20), including this Resolution, is **\$635,000.00**;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for payment of the following entitled operating expenses:

**2019 OPERATING EXPENSES**

**CURRENT FUND**

<b><u>ACCOUNT NAME</u></b>	<b><u>TEMPORARY APPROPRIATION AMOUNT</u></b>
<b>MONROE TOWNSHIP UTILITY DEPARTMENT:</b>	
Other Expenses	\$ 600,000.00
<b>CURRENT FUND TOTAL</b>	<b>\$ 600,000.00</b>

2. That said emergency temporary appropriations will be provided for in the 2019 Calendar Year Budget; and
3. That one (1) certified copy of this resolution be filed with the Director of the Division of Government Services.

**SO RESOLVED** as aforesaid.

**R-3-2019-055 RESOLUTION AUTHORIZING SHAIN SCHAFFER, P.C. TO HANDLE VARIOUS WORKERS' COMPENSATION CLAIMS IN YEAR 2019 AS EXTRAORDINARY LITIGATION. (\$15,000)**

**WHEREAS**, the Township of Monroe has the need for legal representation in connection with various Workers' Compensation Claims; and

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

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer, P.C. defend the interests of the township and that these matters be treated 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, P.C. will render legal services at a cost not to exceed **\$15,000.00** pending further authorization from the Township Council; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available in the budget, as evidenced by Certificate No. **C-1900006**, a copy of which is annexed hereto as Exhibit "A";

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby consents to the designation of the preparation and legal representation involving the Township's Workers' Compensation Claims as extraordinary litigation for which legal services may be provided by Shain Schaffer, P.C. in an amount not to exceed **\$15,000.00** pending further authorization from the Council.

**SO RESOLVED**, as aforesaid.

**R-3-2019-056 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR PROSPERITY FARMS - TOWNHOMES PB-1188-16. (Butcher Road)**

**WHEREAS**, Toll Brothers Inc. has posted Performance Guarantees in the amount of \$1,614,197.34 for project PB-1188-16; and

**WHEREAS**, a request for a reduction in Performance Guarantees has been received; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantee, as detailed in his letter dated January 31, 2019, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$1,452,777.61	\$161,419.73
Reduce to	\$ 799,949.20	\$ 88,883.24

; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted by Toll Brothers Inc. for PB-1188-16 be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantee is conditioned upon the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-057 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR REGENCY AT MONROE – PHASE 9 PB-1157-14.**

**WHEREAS**, Toll NJ II, L.P. has posted Performance Guarantees in the amount of \$1,905,169.52 for project PB-1157-14; and

**WHEREAS**, a request for a reduction in Performance Guarantees has been received; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantee, as detailed in his letter dated January 31, 2019, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$1,714,652.57	\$190,516.95
Reduce to	\$1,086,751.94	\$120,750.22

; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that Performance Guarantees posted by Toll NJ II, L.P. for PB-1157-14 be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantee is conditioned upon the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-058 RESOLUTION AUTHORIZING REDUCTION OF A PERFORMANCE GUARANTEE POSTED FOR SHARED PROPERTIES – COMMERCIAL KIDDIE ACADEMY - BA-5144-17. (Applegarth/Rt 33)**

**WHEREAS**, CT07 and DT07 Shared Commercial, LLC. has posted Performance Guarantees in the amount of \$310,295.56 for project BA-5144-17; and

**WHEREAS**, a request for a reduction in Performance Guarantees has been received; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer has inspected the work performed and the work to be completed and has recommended the Township Council approve the reduction of the Performance Guarantee, as detailed in his letter dated January 31, 2019, a copy of which is attached hereto as Exhibit A:

	<u>Bond Portion</u>	<u>Cash Portion</u>
Current	\$279,266.00	\$31,029.56
Reduce to	\$125,676.35	\$13,964.04

; 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 by CT07 and DT07 Shared Commercial, LLC. for BA-5144-17 be reduced, as reflected in the Township Engineer's letter annexed hereto. This approval for reduction of Performance Guarantee is conditioned upon the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-059 RESOLUTION AUTHORIZING RELEASE OF A PERFORMANCE GUARANTEE POSTED FOR FOUR SEASONS RECREATION CENTER PB-1163-15. (Prospect Plains Rd.)**

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

**WHEREAS, K. Hovnanian at Monroe NJ II, LLC.** has posted Performance Guarantees in the amount of \$102,349.03 for the Four Seasons Recreation Center project PB-1163-15; and

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

**WHEREAS**, the Township Engineer's office, by copy of letter dated January 30, 2019, recommends release of the projects Performance Guarantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that release of the project performance guarantees shall be conditioned upon resolution of all outstanding escrow balances associated with the administration of this project by Township officials, as well as the posting of maintenance guarantees for 15% of the project total (\$85,290.86), or \$12,793.63. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the Council;

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

**SO RESOLVED**, as aforesaid.



**R-3-2019-060 RESOLUTION ENDORSING THE 2019 PROJECT PROPOSALS AS RECOMMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE.**  
(\$156,222 – Prospect Plains Rd. Soccer Complex ADA Improvements)

**WHEREAS**, on February 6, 2019 the Housing and Community Development Citizens Advisory Committee (“HCD Citizens Advisory Committee”) held a Public Hearing in the Municipal Complex, One Municipal Plaza for the purpose of providing information about the Community Development Block Grant Program (“CDBG”), solicit comments, ideas and recommendation, verbally or in writing and identify proposed municipal projects; and

**WHEREAS**, the HCD Citizens Advisory Committee has submitted to the Township Council for its review, the 2019 Project Proposal Applications for:

- ***PROSPECT PLAINS ROAD SOCCER COMPLEX ADA IMPROVEMENTS***

; and

**WHEREAS**, upon the Township Council’s review of the 2019 Project Proposal Applications, as recommended by the HCD Citizens Advisory Board, it hereby renders its endorsement of the attached 2019 Project Proposals for:

- ***PROSPECT PLAINS ROAD SOCCER COMPLEX ADA IMPROVEMENTS***

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, that it hereby endorses the 2019 Project Proposals, as recommended by the HCD Citizens Advisory Committee; and

**BE IT FURTHER RESOLVED** that three (3) copies of the 2019 Project Proposal Applications with three (3) certified copies of the Resolution endorsing same be forwarded to Melissa Bellamy, Middlesex County Administration Building, Middlesex County Housing and Community Development Office, 75 Bayard Street, New Brunswick, NJ 08901.

**SO RESOLVED**, as aforesaid.

**R-3-2019-061 RESOLUTION AUTHORIZING THE WAIVING OF APPLICATION FEES PERMITTED BY LAW IN CONNECTION WITH THE CONSTRUCTION OF THE NEW CHABAD JEWISH CENTER OF MONROE.**

**WHEREAS**, the Chabad Jewish Center of Monroe has made application to construct a new building on the property located at 152 Prospect Plains Road and shown as Block 27.02, Lot 17.02 on the Tax Map of the Township of Monroe; and

**WHEREAS**, the Chabad Jewish Center of Monroe has requested the Township to waive the application fees associated with this project; and

**WHEREAS**, the Director of Planning has advised the below noted fees should be waived in connection with said application:

<u>Fee:</u>	<u>Amount:</u>
Major Preliminary Site Plan Fee:	\$1500.00
Major Final Site Plan Fee:	\$ 500.00
Tree Inspection:	\$ 35.00
Four C Variance Fee:	\$ 400.00
D Variance Fee:	<u>\$ 500.00;</u>
	\$2,935.00; and

**WHEREAS**, said request has been reviewed by the Township Council and has found said request to be reasonable; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the above noted application fees incurred by Chabad Jewish Center of Monroe with respect to the new construction of the Chabad House located at 152 Prospect Plains Road and known as Block 27.02, Lot 17.02 on the official Tax Maps of the Township of Monroe, be and are hereby waived.

**SO RESOLVED**, as aforesaid.

**R-3-2019-062 RESOLUTION AUTHORIZING THE WAIVING OF APPLICATION FEES PERMITTED BY LAW IN CONNECTION WITH THE APPLGARTH CONGREGATION OF JEHOVAH’S WITNESSES PARKING LOT AND BUILDING RENOVATIONS AND UPGRADES.**

**WHEREAS**, the Applegarth Congregation of Jehovah’s Witnesses has made application to perform building upgrades and parking lot renovations on the property located at 334 Applegarth Road and shown as Block 41, Lot 8 on the Tax Map of the Township of Monroe; and

**WHEREAS**, the Applegarth Congregation of Jehovah’s Witnesses has requested the Township to waive the application fees associated with this project; and

**WHEREAS**, the Director of Planning has advised the below noted fees should be waived in connection with said application:

<u>Fee:</u>	<u>Amount:</u>
Major Preliminary Site Plan Fee:	\$1500.00
Major Final Site Plan Fee:	\$ 500.00
C Variance Fee:	\$ 100.00
D Variance Fee:	<u>\$ 500.00;</u>
	\$2,600.00; and

**WHEREAS**, said request has been reviewed by the Township Council and has found said request to be reasonable; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the above noted application fees incurred by the Applegarth Congregation of Jehovah’s Witnesses with respect to building upgrades and parking lot renovations located at 334 Applegarth Road and shown as Block 41, Lot 8 on the official Tax Maps of the Township of Monroe, be and are hereby waived.

**SO RESOLVED**, as aforesaid.

**R-3-2019-064 RESOLUTION ACCEPTING THE FINAL REPORT OF THE CABLE TELEVISION ADVISORY COMMITTEE’S REPORT REGARDING THE PROPOSED RENEWAL OF THE TOWNSHIP OF MONROE’S CABLE FRANCHISE AGREEMENT WITH COMCAST.**

**WHEREAS**, the existing cable television franchise for the Township held by Comcast of Central New Jersey, LLC (“Comcast”) expires on March 13, 2020; and

**WHEREAS**, Comcast contends that it is entitled to automatic renewal of its franchise; and

**WHEREAS**, Comcast is not entitled to automatic renewal of its franchise if it has not substantially complied with the material terms and conditions of its franchise; and

**WHEREAS**, in June 2017, pursuant to N.J.A.C. 14:18-13.1(a)(1), the Township commenced an Ascertainment Phase to review Comcast’s performance under its franchise; and

**WHEREAS**, in March 2018, the Council created a 9-member Cable Television Advisory Committee (the “Committee”); and

**WHEREAS**, pursuant to this ordinance, the Mayor appointed the members of the Committee; and

**WHEREAS**, the Committee studied the performance of Comcast throughout 2018, including meetings and correspondence with Comcast and a public hearing held on September 26, 2018; and

**WHEREAS**, the Committee has submitted a Final Report to the Mayor and Council in which the Committee has concluded that Comcast has not substantially complied with the material terms and conditions and that Comcast is therefore not entitled to automatic renewal of its franchise; and

**WHEREAS**, the Mayor and Council have reviewed the final Report and agree with its findings and conclusion.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Final Report of the Cable Television Advisory Committee is hereby accepted and approved; and

**BE IT FURTHER RESOLVED** that the Mayor and Council agree that Comcast is not entitled to an automatic renewal of its franchise; and

**BE IT FURTHER RESOLVED** that the Township should enter into negotiations with Comcast over the terms of a possible franchise renewal; and

**BE IT FURTHER RESOLVED** that the Township should oppose any effort by Comcast to obtain an automatic renewal from the New Jersey Board of Public Utilities (“BPU”), or any other renewal that is not endorsed by the Township; and

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby directed to file this Resolution with the BPU’s Office of Cable Television and with Comcast.

**SO RESOLVED**, as aforesaid.

**R-3-2019-065 RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE CULTURAL ARTS COMMISSION.**

**WHEREAS**, the Honorable Gerald W. Tamburo, Mayor of the Township of Monroe, by copy of letter dated February 11, 2019 has appointed Elinor Koll to the **CULTURAL ARTS COMMISSION** for (3) year term, commencing immediately and expiring on December 31, 2021; and

**WHEREAS**, the Administrative Code of the Township of Monroe requires the Advice and Consent of the Council for the above 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 Elinor Koll to the **CULTURAL ARTS COMMISSION** for (3) year term, commencing immediately and expiring on December 31, 2021.

**SO RESOLVED**, as aforesaid.

**R-3-2019-066 RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2019 VARIOUS MUNICIPAL ROADWAYS AND CONCRETE IMPROVEMENTS. (\$200,000)**

**WHEREAS**, the Township of Monroe seeks professional engineering services in connection with 2019 various municipal roadway and concrete improvements; and

**WHEREAS**, Center State Engineering possesses the technical expertise required to perform professional engineering services for this project; and

**WHEREAS**, the fees for such services will not exceed two hundred thousand dollars (**\$200,000.00**); and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1900012, a copy of which is attached hereto as Exhibit “A”; and

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

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with *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 for the 2019 various municipal roadway and concrete improvements engineering services in an amount not to exceed Two Hundred thousand dollars (**\$200,000.00**);
- (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-3-2019-067 RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2017-2018 PARK AND RIDE PAVEMENT AND LIGHTING IMPROVEMENTS. (\$45,000)**

**WHEREAS**, the Township of Monroe seeks professional engineering services in connection with 2017-2018 Park and Ride Pavement and Lighting Improvements; and

**WHEREAS**, Center State Engineering possesses the technical expertise required to perform professional engineering services for this project; and

**WHEREAS**, the fees for such services will not exceed forty five thousand dollars (**\$45,000.00**); and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1900008, a copy of which is attached hereto as Exhibit "A"; and

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

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with *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 for the 2017-2018 Park and Ride Pavement and Lighting Improvements in an amount not to exceed Forty five thousand dollars (**\$45,000.00**);
- (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-3-2019-068 RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR CONTRACT ADMINISTRATION IN CONNECTION WITH ADA RESTROOM IMPROVEMENTS AT DANIEL P. RYAN FIELD. (\$40,000)**

**WHEREAS**, the Township of Monroe seeks professional engineering administration services in connection with the Daniel P. Ryan Field ADA Restroom Improvement project; and

**WHEREAS**, Center State Engineering possesses the technical expertise required to perform professional engineering administration services for this project; and

**WHEREAS**, the fees for such services will not exceed forty thousand dollars (**\$40,000.00**); and

**WHEREAS**, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Certificate No. C-1900010, a copy of which is attached hereto as Exhibit "A"; and

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

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

- (1) The Mayor and Township Clerk be and are hereby authorized and directed to execute the attached contract with *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 for the administration of the Daniel P. Ryan Field ADA Restroom Improvement project in an amount not to exceed forty thousand dollars **(\$40,000.00)**;
- (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-3-2019-069 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY SEACOAST CONSTRUCTION INC. IN CONNECTION WITH SPOTSWOOD & ELLINGHAM IMPROVEMENTS.** (Additional \$119,969.76)

**WHEREAS**, pursuant to Resolution No. R-6-2018-166, adopted by the Monroe Township Council at its meeting held on June 6, 2018, a contract was awarded to Seacoast Construction in connection with Spotswood & Ellingham Avenue Improvement Project; and

**WHEREAS**, the original total contract amount was \$733,855.95; and

**WHEREAS**, the Township Engineer, in a letter dated February 15, 2019, requested approval of Change Order No. 1 for the Spotswood & Ellingham Improvement Project reflecting an increase in the amount of **\$119,969.76** as described in the attached change order;

**WHEREAS**, the current contract price including this change order is \$853,825.71; 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-1800037**, a copy of which is attached hereto, that sufficient funds are available;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1, attached hereto and made a part hereof, in the amount of one hundred nineteen thousand nine hundred sixty nine dollars and seventy six cents (\$119,969.76).

**SO RESOLVED**, as aforesaid.

**R-3-2019-070 RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS CAPITAL PROJECTS.** (2019 Paving Projects and Park and Ride Improvements)

**WHEREAS**, in the interest of the citizens of the Township of Monroe, in the County of Middlesex, the Township has a need for the following goods and services:

- 2019 Paving Projects
- Park and Ride Improvements

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, every contract or agreement for the performance of any work or the furnishing of any materials or supplies, the cost of which is to be paid with or out of public funds, subject to certain exceptions, shall be made or awarded only by the governing body after public advertising for bids and bidding therefor;

**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 Monroe Township Engineer is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-3-2019-071 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY QUALITY 1<sup>ST</sup> CONTRACTING INC. IN CONNECTION WITH THE 2017-2018 TOWNSHIP WIDE CONCRETE IMPROVEMENTS PROJECT. (Decrease of \$33,321.82)**

**WHEREAS**, pursuant to Resolution No. R-8-2017-213, adopted by the Monroe Township Council at its meeting held on August 7, 2017, a contract was awarded to Quality 1<sup>st</sup> Contracting, Inc. in connection with Township Wide Concrete Improvements; and

**WHEREAS**, the original total contract amount was \$139,610.00; and

**WHEREAS**, the Township Engineer, in a letter dated February 20, 2019, requested approval of Change Order No. 1 and final for the 2017 Township Wide Concrete Improvements project, reflecting a decrease in the original contract amount of **\$33,321.82** as reflected in the change order attached, marked as Exhibit A; and

**WHEREAS**, the current contract price including this change order is now \$106,288.18; 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-1700036**, a copy of which is attached hereto, that sufficient funds are available;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute Change Order No. 1 and final, attached hereto and made a part hereof, in the amount of Thirty Three Thousand Three Hundred Twenty One Dollars and Eighty Two Cents (\$33,321.82).

**SO RESOLVED**, as aforesaid.

**R-3-2019-072 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY QUALITY 1<sup>ST</sup> CONTRACTING, INC. IN CONNECTION WITH THE 2017-2018 TOWNSHIP WIDE CONCRETE IMPROVEMENTS PROJECT.**

**WHEREAS**, **Quality Contracting, Inc.** has posted Performance Guarantees for the 2017 Monroe Township Wide Concrete Improvements project; and

**WHEREAS**, **Quality Contracting, Inc.** has requested a release of the Performance Guarantees posted for this project; and

**WHEREAS**, pursuant to Section 108-13.1 F and G of the Code of the Township of Monroe, the Township Engineer, by copy of letter dated February 20, 2019, has recommended, release of the Performance Guarantees; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Performance Guarantees posted for the 2017 Township Wide Concrete Improvements project, be released as reflected in the Township Engineer's letter dated February 20, 2019, attached hereto. This approval for release of the Performance Guarantees is conditioned upon the posting of a maintenance guarantee in the amount of **\$10,628.81**. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the Council.

**SO RESOLVED**, as aforesaid.

**R-3-2019-073 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR DIPASQUALE – AVENUE K PB-1173-15.**

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

**WHEREAS**, **Lucille Dipasquale** has posted Performance Guarantees in the amount of \$9,774.40 for the Avenue K, Block 110, Lot 1.03 minor subdivision project PB-1173-15; and

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

**WHEREAS**, the Township Engineer's office, by copy of letter dated February 19, 2019, recommends release of the projects Performance Guarantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that release of the project performance guarantees shall be conditioned upon resolution of all outstanding escrow balances associated with the administration of this project by Township officials, as well as the posting of maintenance guarantees for 15% of the project total (\$5,195.55), or \$779.33. Such maintenance guarantee shall run for a period of not less than two years from the date of memorialization of such action by the Council;

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-075 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEE FOR 311 SPOTSWOOD-ENGLISHTOWN ROAD – W&S 1102 – BA-5070-12 POSTED WITH THE MONROE TOWNSHIP DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, 311 Spotswood-Englishtown Rd. Realty, LLC has posted a cash Performance Guarantee with the Monroe Township Utility Department ("M.T.U.D.") for W&S 1102; and

**WHEREAS**, 311 Spotswood-Englishtown Rd. Realty, LLC has requested the release of the Performance Guarantee upon posting and acceptance of a Maintenance Guarantee; 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 February 13, 2019, a copy of which is attached hereto as Exhibit "A" and as shown herein below:

Cash Performance Guarantee in the amount of \$6480.00 to be reduced and held as a maintenance guarantee in the amount of \$972.00 (15% of original guarantee).

Cash Performance Guarantee in the amount of \$720.00 to be returned in full to the developer.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantee posted for W&S 1102 be released upon establishment of a maintenance guarantee 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-3-2019-076 RESOLUTION AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1103.3 GATEWAY (WEST WATER TRACT) BA-5096-14 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**

**WHEREAS**, D. R. Horton, Inc. has posted a Performance Guarantee for W&S – 1103.3, BA #5096-14; and

**WHEREAS**, D. R. Horton, Inc. has requested a 70% reduction in the Performance Guarantee posted sewer for the project; and

**WHEREAS**, defined in 40:55D-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated February 13, 2019, a copy of which is attached hereto as Exhibit "A":

Performance Bond #21BSBHI5920 for water in the amount of \$336,885.00 to be reduced to \$101,065.50.

Cash Performance Guarantee in the amount of \$37,432.00 be reduced to \$11,229.60.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Cash Performance Guarantees posted for W&S 1103.3 be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-077 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR GREEN ACRES FUNDING WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR JAMES MONROE PARK EXPANSION.**

**WHEREAS**, the Township of Monroe is desirous of filing applications for municipal aid for certain municipal improvements which qualify for said funding;

**WHEREAS**, Green Acres provides for funding for local governments to acquire land, develop parks or conducting stewardship activities for outdoor recreation and conservation purposes;

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Monroe hereby authorizes and approves submission of a Grant Application with the New Jersey Department of Environmental Protection for the expansion of James Monroe Park; and

**BE IT FURTHER RESOLVED** the Township Engineer shall be and is hereby authorized to ensure that said application is properly filed; and

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, that the Mayor and Township Clerk are hereby authorized to execute all documents necessary in the Grant process

**SO RESOLVED**, as aforesaid.

**R-3-2019-078 RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT BETWEEN MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE TOWNSHIP OF MONROE FOR THE PROVISION OF RECYCLING COLLECTION AND MARKETING SERVICES OF DESIGNATED RECYCLABLES. (1 year extension same terms)**

**WHEREAS**, the Township of Monroe is under contract through March 30, 2018 with the Middlesex County Improvement Authority, for the provision of recycling collection and marketing services of designated recyclables; and

**WHEREAS**, the current contract allows the authority to extend the contract for a period of two (2) additional one (1) year periods with the consent of both parties and approval of the governing body; and

**WHEREAS**, the extension of this agreement shall be under the same terms, conditions and pricing contained within their original contract, 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 that it has rendered its advice and hereby consents to the extension of a one-year contract with the Middlesex County Improvement Authority for the provision of recycling collection and marketing services of designated recyclables, expiring March 30, 2020.

**SO RESOLVED**, as aforesaid.



**R-3-2019-079 RESOLUTION AUTHORIZING ACCEPTANCE OF ADDITIONAL FUNDS FROM THE MIDDLESEX COUNTY URBAN COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.** (Additional \$50,000 for Daniel P. Ryan Field ADA Improvements)

**WHEREAS**, the Township of Monroe is a participating municipality in the Urban County designation formed with 19 municipalities within Middlesex County for the purpose of receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program; and

**WHEREAS**, the Township of Monroe has made application to the Middlesex County Division of Housing, Community Development, and Social Services for reallocated Community Development Block Grant (CDBG) funds; and

**WHEREAS**, Middlesex County has awarded the Township of Monroe \$50,000 in reallocated CDBG funds for its Daniel P. Ryan Field ADA Improvements Project based on adherence to the timely expenditure and vouchering to Middlesex County of these funds as indicated on their submitted application.

**NOW, THEREFORE, BE IT RESOLVED**, the Township of Monroe accept the additional \$50,000 in reallocated CDBG funds from Middlesex County for its Daniel P. Ryan Field ADA Improvements Project and direct appropriate municipal staff to take necessary measures to complete the project and submit vouchers and required project documentation to Middlesex County based its submitted application; and

**BE IT FURTHER RESOLVED** a copy of this resolution be sent to the Middlesex County Division of Housing, Community Development, and Social Services 75 Bayard Street 2<sup>nd</sup> Floor New Brunswick, N.J. 08901.

**SO RESOLVED**, as aforesaid.

**R-3-2019-081 RESOLUTION AUTHORIZING AWARD OF BID TO GREENLEAF LANDSCAPE SYSTEMS AND SERVICES, INC. FOR MONROE TOWNSHIP 2019 LANDSCAPING SERVICES,** (Twp. \$206,510.00 MTUD \$36,525.00)

**WHEREAS**, on February 28, 2019, two (2) sealed bids were received by Monroe Township regarding the 2019 Monroe Township Landscaping Services; and

**WHEREAS**, the Monroe Township Business Administrator, by letter dated March 1, 2019, a copy of which is attached hereto, recommended that the contract be awarded to **Greenleaf Landscape Systems and Services, Inc.** on their bid submitted in the amount of **\$243,035.00** of which \$36,525.00 is attributed to the Monroe Township Utility Department; and

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

**WHEREAS**, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1900011, a copy of which is attached hereto as Exhibit "A"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the **2019 Monroe Township Landscaping Services** at a total contract price of **\$243,035.00** for a contract term beginning April 1, 2019 and expiring December 31, 2019 with the provision authorizing the Business Administrator to renew for two (2) additional one (1) year periods with the consent of both parties under the same terms, conditions and prices; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with **Greenleaf Landscape Systems and Services, Inc., 276 Pine Brook Rd. Eatontown, N.J. 07724**; and

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

**SO RESOLVED**, as aforesaid.

**R-3-2019-082 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RAPID PUMP & METER SERVICE CO., INC. FOR CONTRACT 486 – “MECHANICAL MAINTENANCE & REPAIR SERVICES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.) (\$59,440.00)**

**WHEREAS**, on March 1, 2019 three (3) sealed bid were received, and publicly opened and read, by the Monroe Township Utility Department for Contract 486, Mechanical Maintenance & Repair Services, required by the M.T.U.D.

**WHEREAS**, KRS Service, Inc. of Southampton NJ has submitted the apparent lowest responsible and responsive bid in the amount of \$41,220.00, however after review of their bid documents, it was found that they failed to list their motor repair/rewinding subcontractor as the bid required by section 18.0 of the specifications, and thusly their bid is rejected as non-responsive; and

**WHEREAS**, the second low bid submitted by Rapid Pump & Meter Service Co., Inc. of Patterson NJ has submitted the apparent lowest responsible and responsive bid in the amount of \$59,440.00; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D has reviewed the bids, and by a copy of a letter dated March 1, 2019, recommends a one (1) year contract with optional extensions be awarded to Rapid Pump & Meter Service Co., Inc of Patterson NJ at the unit pricing provided by the bidder, and as shown on the aforementioned bid tabulation sheet for an estimated total price of \$59,440.00, a copy of which is attached hereto as Exhibit “B”; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Finance Officer has certified availability of funds in Certificate No. M-190008, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(d)(1)(ii), multi-year contracts entered into for periods in excess of twelve (12) months shall be certified and charged to the respective budgets in accordance with the time(s) at which the respective work or services are performed or liability for payment is otherwise incurred. Accordingly, commitments and payments required in excess of the initial twelve (12) months are contingent upon necessary funds being appropriated in future budgets by a subsequent governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a contract for the Monroe Township Mechanical Maintenance & Repair Services to Rapid Pump & Meter Service Co., Inc., for 12 months per the unit price rates indicated in their proposal, and with the provision authorizing the M.T.U.D. Purchasing Manager to extend said contract for two additional 12 months, with the consent of the bidder; and

**WHEREAS**, Rapid Pump & Meter Service Co., Inc. has submitted, with their bid, all the required documents.

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

- (1) The Mayor and Township Clerk are hereby authorized reject the bid of KRS Services, Inc. as non-responsive;
- (2) The Mayor and Township Clerk are hereby authorized to enter into a one (1) year contract with extensions, with Rapid Pump & Meter Service Co., Inc., in accordance with their bid;
- (3) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for services rendered by Rapid Pump & Meter Service Co., Inc., in accordance with their bid;
- (4) The contract is awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;
- (5) This contract is awarded subject to a attorney positive review, with the stipulation that Rapid Pump & Meter Service Co., Inc., shall provide the required insurance certificate and performance bond as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-3-2019-083 RESOLUTION AUTHORIZING AWARD OF BID TO COMMERCIAL CONSTRUCTION MANAGEMENT SERVICES, LLC. FOR PROSPECT PLAINS ROAD SOCCER COMPLEX CONCESSION STAND AND RESTROOMS CONSTRUCTION PROJECT. (\$787,794.10)**

**WHEREAS**, on February 28, 2019, ten (10) sealed bids were received by Monroe Township regarding the **Prospect Plains Soccer Complex Concession and Restroom Project**; and

**WHEREAS**, the Township Engineer, by copy of letter dated March 1, 2019, has determined that the low bidder, Samson Concrete & Masonry has submitted a nonresponsive bid and is therefore disqualified and the bid rejected; and

**WHEREAS**, it is the Township Engineers recommendation that the base bid and alternate number 1 be awarded to **Commercial Construction Management Services, Inc.**, the second low bidder, based upon their bid submission in the amount of **\$787,794.10**; 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-1900013, 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 **Commercial Construction Management Services, Inc., 25 Saint George Place Keyport, N.J. 07735**, for the **Prospect Plains Soccer Complex Concession and Restroom Project**, at a total contract price of **\$787,794.10**; and

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

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay **Commercial Construction Management Services, 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 **Commercial Construction Management Services, 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.

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.

Councilman Dipierro requested to excuse himself.

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

**R-3-2019-063 RESOLUTION AUTHORIZING LEGAL SERVICES FOR THE ACQUISITION OF LAND FOR INTERSECTION IMPROVEMENTS AND TRAFFIC SIGNALIZATION AT THE INTERSECTION OF PERGOLA AVENUE, MATCHAPONIX AVENUE (CR612) AND SPOTSWOOD GRAVEL HILL ROAD AS EXTRAORDINARY LITIGATION. (\$40,000)**

**WHEREAS**, the Township Council of the Township of Monroe has determined that it is in the public interest that intersection improvements and a traffic signal be installed at the intersection of Pergola Avenue, Matchaponix Avenue (CR 612) and Spotswood Gravel Hill Road (the "Project"); and

**WHEREAS**, as part of the Project, the Township of Monroe must acquire and intends to acquire portions of ten (10) parcels of land adjacent to the intersection (the "Properties") as follows:

Block	Lot
75	11
108	5
108	6
108	7
76	8.04
148	34.02
75	14.01
76	8.03
75	13
108	31

; and

**WHEREAS**, Shain Schaffer PC possesses the expertise necessary to represent the Township in its efforts to acquire the Properties by purchase or, if necessary, through eminent domain; and

**WHEREAS**, Louis N. Rainone, Esq., of Rainone, Coughlin Minchello, Conflict Attorney for the Township of Monroe, also possesses the expertise necessary to represent the Township in its efforts to acquire the Properties by purchase or, if necessary, through eminent domain; and

**WHEREAS**, the Township Council has determined that it would be appropriate to authorize Shain Schaffer PC, and Louis N. Rainone, Esq. as to Block 75, Lot 14.01 owned by Councilman Dipierro, to take any and all necessary legal action to acquire the Properties needed for the Project; and

**WHEREAS**, the advice and consent of the Township Council is required for this matter to be handled as extraordinary litigation, and the Township Council has determined that it is appropriate for Shain Schaffer PC and Louis N. Rainone, Esq. to handle it as such; and

**WHEREAS**, Shain Schaffer PC and Louis N. Rainone, Esq. will render legal services at a cost not to exceed \$40,000.00, with respect to the acquisition of the Properties for the Project, 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 \$40,000.00, to handle this matter as extraordinary litigation, as evidenced by the Treasurer's Certification No. C-1900007, 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 Shain Schaffer PC and Louis N. Rainone, Esq., are authorized to take any and all necessary legal action in acquiring the Properties needed for the Project as extraordinary litigation, *nunc pro tunc*.

**SO RESOLVED**, as aforesaid.

**R-3-2019-074 RESOLUTION AUTHORIZING THE REDUCTION OF A MAINTENANCE BOND FOR CLEARVIEW ESTATES PB-1029-06.**

**WHEREAS**, pursuant to Resolution No. R-1-2017-017, adopted by the Monroe Township Council at its meeting held on February 6, 2017, Performance Guarantees were released for Clearview Estates project PB-1029-06 upon the posting of a Maintenance Guarantee; and

**WHEREAS**, GMN Toms River, LLC. has posted Maintenance Guarantees with Monroe Township for Clearview Estates project PB-1029-06 in the amount of \$75,729.91; and

**WHEREAS**, the maintenance guarantee has expired on February 6, 2019; and

**WHEREAS**, as stated in the release resolution per the applicant's attorney "that due to winter weather conditions, the infiltration basin will be monitored in the spring and any required repairs will be completed within the maintenance period"; and

**WHEREAS**, upon completion of the two (2) year maintenance bond period, the infiltration basin issues still need to be addressed;

**WHEREAS**, the Township has indicated a willingness to release a portion of the maintenance guarantee amount and retain a portion to guarantee the infiltration basin issues are satisfactorily addressed; and

**WHEREAS** the Township Conflict Engineer has inspected the improvements and has recommended that the Township Council approve the reduction of the maintenance bond as detailed in his letter dated February 19, 2019, attached hereto as Exhibit A, as follows:

Current Bond: \$75,729.91                      Reduced to: \$38,504.40

**WHEREAS**, per the Township Conflict Engineers letter, the remaining maintenance guarantee shall be held until the filtration modifications have been satisfactorily and the basin is functioning as required; and

**WHEREAS**, it is the recommendation of the Township Conflict Engineer that if these issues are not addressed within six (6) months of the maintenance bond expiration date which is August 6, 2019, the Township take necessary action required to make the needed repairs and charge same against the remaining bond.

**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 and State of New Jersey that the Maintenance Guarantees posted for Clearview Estates project PB-1029-06 be reduced as reflected above and in the Engineers letter annexed hereto.

**R-3-2019-080 RESOLUTION AUTHORIZING AWARD OF BID TO S & G PAVING INC. FOR MONMOUTH ROAD IMPROVEMENTS PROJECT. (\$687,550.56)**

**WHEREAS**, on February 28, 2019, nine (9) sealed bids were received by Monroe Township regarding the **Monmouth Road Improvements project**; and

**WHEREAS**, the Township Engineer, by copy of letter dated February 28, 2019, has recommended **S & G Paving, Inc. 224C Forsgate Drive, N.J. 08831**, be awarded the bid based upon their bid submission in the amount of **\$687,550.56**; 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-1900009, 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 **S & G Paving, Inc.** for the **Monmouth Road Improvements project**, at a total contract price of **\$687,550.56**; and

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

**BE IT FURTHER RESOLVED** that the Township's Certified Municipal Finance Officer is hereby authorized and directed to pay *S & G Paving, 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 *S & G Paving, 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.

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 Resolutions Duly Filed.

#### **REPORTS:**

**Mayor's Report** – Mayor Tamburro thanked Councilwomen Cohen and James Laskey for their work on the Cable Advisory Committee's report.

Awarded a contract for the new ADA bathrooms and Concession Stand at the Soccer Complex on Prospect Plains Road; looking forward for this project being completed and will be the envy of everyone in the County.

Establishing the 4<sup>th</sup> round of Energy Aggregation and will be going on sometime later this year and visit some of the locations that are electric. The residents of Monroe township have saved over \$13,000,000.

Started engineering to improve the Park & Ride; used regularly and need much improvement.

Additionally, working hard on the CFO and BA on the 2019 Budget; pleased to announce there will be no tax increase this year. Longtime negotiations with the Unions and fair contracts with the employees and health benefits and most importantly fair to the residents of the Township.

Finally, supporting the education referendum which will come to vote on March 12<sup>th</sup>. Encouraged everyone to go out and vote.

**Administrator's Report** – Administrator Weinberg thanked the DPW for all of their hard work this Winter. The DPW is out plowing and salting and it is not always an easy job but they do a wonderful job.

Monroe Township is one of the first communities to participate in buying energy at the group discount rate; we have saved over \$13,000,000 and as we move towards our 4<sup>th</sup> round of participation we will continue to focus on that as well.

Congratulations to the Cable Advisory Committee. They have written an excellent report.

Thanked Engineer Rasimowicz and Council on the Soccer Concession and ADA bathroom project which will be a wonderful improvement for our community. The Daniel Ryan Field concession and restroom is almost ready for the season.

Hoping to get out to bid for the roads as soon as possible so the paving can be done over the summer.

Received a \$310,000. state grant which will be used for the Monmouth Road Improvement Project; very excited to see that project move forward.

Received an additional \$50,000. for the Daniel Ryan Field.

The meetings with the Commuter Council have been very productive. Want to give the bus providers credit for participating at what has sometimes been very heated conversations. Some residents have said the service has been better. They announced that they will be adding two more express buses. The Council is moving forward to improve the park and ride on Applegarth Road. The next meeting will be on April 18<sup>th</sup> at 7:00pm at the library.

As Mayor Tamburro stated there will be no municipal tax increase; we have the second lowest tax rate in the County.

Very excited for a great March.

**Engineer's Report** – Engineer Rasimowicz reported that a \$310,000 state grant has been received and will be used for the Monmouth Road Improvement Project. Very excited to get that project going.

The Prospect Plains Road Soccer Complex is planned to start in April.

The Daniel Ryan Field should be completed in a few weeks.

The Perrineville Road and Prospect Plains Road intersection now has an operation turn signal.

## **COUNCIL REPORTS:**

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

- On March 8<sup>th</sup> at the Senior Center the Empty Bowls fundraiser will take place. A \$5.00 donation is requested and this event helps raise money for the food pantry.
- The St. Patrick's Day dance will be held on March 15<sup>th</sup> at 7:00pm at the Senior Center.
- Attending an event at the Woodland School with Councilwoman Cohen to talk to the Cub Scouts about government which will help them to earn their government badges.
- Attended the Girl Scouts "World Thinking Day" event where all of the girls picked a country and dressed and danced to represent their country picked. It was a wonderful event.

### **Councilman Dipierro -**

- The Shade Tree Commission will be handing out seedlings to residents on April 6<sup>th</sup> at the DPW from 9:00-11:00am.
- Opening day of baseball will be on April 6<sup>th</sup>.
- Bulk pickups are now being scheduled from April 1<sup>st</sup> through November.
- Attended a few of the Cable Advisory Committee meetings; thanked all of the committee members for their hard work.
- Attended the Girl Scouts "World Thinking Day" event where they put on an amazing show.
- Glad to see the Monmouth Road project starting; added that it is important that the project is completed before school starts. Added that he would also like to see a lighted crosswalk from the school to the Recreation Center.
- Thanked the DPW, MTUD and Administrator Weinberg for the videos posted on social media. He shared that being a past snow plow operator he understands what it is all about and our DPW does a great job working together.
- March 12<sup>th</sup> is a very important day for the Board of Education. He added that you cannot complain if you do not go out to vote so please vote.
- Thanked the Clerk's Office for their work at the Rabies Clinic as he heard it was a very successful clinic with over 400 animals vaccinated.

### **Councilman Baskin –**

- Thanked the DPW for their snow plowing efforts; commended Administrator Weinberg for going out with our men and videotaping.
- On April 16<sup>th</sup> there will be a paint drop-off at the DPW garage.
- Middlesex County will hold a paper shredding event on Saturday, March 23rd from 9:00am to 12:00pm at the Old Bridge Municipal Building.
- The Open Space & Farmland Preservation Committee will hold their rescheduled meeting on April 4<sup>th</sup>.
- Attended the Commuter Council meetings and think it is wonderful to see us working together with the bus companies.

### **Councilwoman Cohen –**

- On March 18<sup>th</sup>, at the library, the Verona Quartet will be performing a free production sponsored by our Cultural Arts Commission. If anyone is interested it is advised to arrive early.
- Art classes, water color classes are available.
- Attended the Middlesex County Transportation Meeting and they were thrilled that Monroe Township set up a Commuter Council.
- Animal licenses are due by March 31<sup>st</sup>. The Clerk's Office is a very busy office.
- Thanks to the Cable Advisory Committee for all of their hard work.

**Council President Dalina –**

- Thanked Township Clerk Patricia Reid for the cough drops.
- The Rabies Clinic is a collaborative event with our Clerk's Office, DPW and Recreation Center. Over 400 animals were vaccinated. Jamesburg will be holding their Rabies Clinic this Saturday for anyone who may have missed ours.
- Visit [monroerec.com](http://monroerec.com) to help get your youth involved in sports.
- On March 23<sup>rd</sup> the Makers Fest will be held at the library.

**PUBLIC:**

**Gary Busman, 7 Monarch Rd.** – Mr. Busman mentioned that Council President Dalina spoke about the importance of getting involved in parks and recreation; as a member of the Parks & Recreation Committee he wanted to bring up in particular girls wrestling. For the first time New Jersey held a Girls Wrestling event and Gabby Miller just won the first ever Girls Wrestling Championship. It is very exciting to see one of our own make it to the top. Councilman Dipierro added that he was there to support Monroe and it was an amazing event.

**Roger Meaney, 22 Harrigan Ave.** – Mr. Meaney thanked the DPW for their great work with the snow removal.

Mr. Meaney asked a question re: R-3-2019-068 which gives \$40,000 to Center state Engineering for ADA restrooms at Daniel Ryan Field; he asked if the building is being built and the plans have been approved by our Building Department, then why do we need Center State to oversee the project for \$40,000. Mr. Meaney added that we are not going to make a final payment until they pass all of the inspections so why is it necessary for them to oversee a project that has already been approved. Administrator Weinberg answered that the design, building and construction/inspection phases are the responsibility of the engineer. The Building Department looks out for the compliance of the code. The consulting engineer will make sure that the materials being used are up to code. Engineer Rasimowicz added that this resolution is for the inspections of the final phase of the project. He stated that there is a review of the materials used and some things are not covered by the Construction Department. Administrator Weinberg added for clarification that ADA is the title of the project and this is to make clear that it is built as planned and to protect our interest. Mr. Meaney thanked everyone for the clarification as it seemed vague in the title.

**Andy Paluri, 16 St. James St.** – Mr. Paluri stated that he was here not speaking as a member of the Board of Education but as a resident. Last night he had the privilege of driving home at 3:00am due to a cancelled flight and the roads throughout the Township were better than the Turnpike.

He had heard about the issues the commuters are having at the park and ride and asked if there were any opportunity that NJ Transit will set up bus lines to come through Monroe.

He stated the concern that many residents have over the intersection at Spotswood-Gravel Hill Road and Matchaponix Avenue as it is a terrible intersection that needs a traffic signal desperately.

Lastly, Mr. Paluri reminded everyone that March 12<sup>th</sup> is the school referendum and it is important to please vote.

**Hy Grossman, 15 Doral Dr.** – Mr. Grossman asked if the cable report can be added to the website; Administrator Weinberg responded that the report will be on the website tomorrow morning.

Mr. Grossman stated that the Regency at Monroe had a bulk contract with Comcast for a number of years of which they decided not to renew. He said his bill went up \$50.00 because of that option to not renew. He has been very satisfied with Comcast and looks forward to reading the Cable Advisory Committee's report to see where we go from here.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that the DPW did a great job with snow removal.

Mr. Parab stated that he along with many others have been lobbying for the schools, as well as, impact fees from the builders, fair school funding and affordable housing. He has met with Assemblyman Benson and noted that the impact fees will be very challenging. He added that it is very important to continue to meet with the legislature to get a bill passed. Governor Phil Murphy is coming up with his budget and in respect to the schools Mr. Parab feels that the funding should follow the child and not just the district. Councilman Baskin responded that the Mayor has sent a letter to the League of Municipalities encouraging them to lobby for impact fees as well.



**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman asked how much we collect in franchise fees; Administrator Weinberg answered that we collect approximately \$200,000 from Comcast and \$300,000 from Verizon.

Mr. Gunkelman asked that the Energy Aggregation Committee look into a non-fossil fuel alternative and green energy. He added that he does not know if it will be competitive but would like to look into it to see if it is. Administrator Weinberg stated that we will be looking into that because the legislature passed new laws in regards to solar so it may make it more costly.

Mr. Gunkelman added that in response to the park and ride improvements, he noticed that some shipping companies use it as a transfer station. He added that he doubts the asphalt is rated for tractor trailers in a space that was not designed for that use. He stated that this is something that we need to decide if we are going to accommodate in our design or use enforcement to chase them out. Council President Dalina asked if there was any type of signage posted; Administrator Weinberg added that he will be working with Engineer Rasimowicz to see if there is signage and if not then they will work to come up with some.

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

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: April 1, 2019.