

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

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

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

**NOVEMBER 3, 2021**

**AGENDA**

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

2. Salute to the Flag.

3. **ROLL CALL:**

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

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

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

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

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

5. **PROCLAMATIONS:**

*Middlesex County Out of the Darkness Community Walk – November 7, 2021*

*Family Court Awareness Month – November 2021*

6. **ORDINANCE(S)** for **INTRODUCTION** at the November 3, 2021 Regular Meeting:

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

7. **RESOLUTIONS for CONSIDERATION under CONSENT AGENDA at the November 3, 2021 Regular Meeting: (R-11-2021-219 – R-11-2021-234)**

- R-11-2021-219 RESOLUTION AUTHORIZING REFUND OF A SHADE TREE REMOVAL PERMIT FEE. (\$35.00)**
- R-11-2021-220 RESOLUTION OF AUTHORIZING AWARD OF BID TO BRENNAN BROTHERS CONTRACTING, LLC. FOR THE BUILDING DEMOLITION (VARIOUS LOCATIONS) PROJECT. (\$169,968.75)**
- R-11-2021-221 RESOLUTION OF AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1014 MORNING GLORY DRIVE.**
- R-11-2021-222 RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES. (Refund to Environmental Management Assoc. totaling \$150.00)**
- R-11-2021-223 A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A QUALIFIED PRIVATE COMMUNITY REIMBURSEMENT AGREEMENT WITH THE GABLES AT MONROE HOMEOWNER'S ASSOCIATION.**
- R-11-2021-224 RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 29 FOREST PARK TERRACE.**
- R-11-2021-225 RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFERS. (\$20,000)**
- R-11-2021-226 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-11-2021-227 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INDEMNITY AND TRUST AGREEMENT REJOINING THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND. (Term: January 1, 2022 – December 31, 2024)**
- R-11-2021-228 RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF AN OUTDOOR PAVILLION FOR THE MONROE TOWNSHIP SENIOR CENTER UNDER THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE. (\$169,000.00)**
- R-11-2021-229 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND APPROVING EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, LOCAL FREIGHT IMPACT FUND FOR SOUTH MIDDLESEX INDUSTRIAL PARK ROADWAY IMPROVEMENTS, PHASE 2.**
- R-11-2021-230 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR JSM AT MONROE, LLC. – WEST STOCKPILE – SECTION 1, PHASE 1 PB-1167-15. (Monroe Parke - Mounts Mills Road)**
- R-11-2021-231 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO KMETZ, INC. FOR THE CONSTRUCTION OF "LEACHATE FORCE MAIN" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (\$2,191,624.00) (From BFI Landfill to Avenue K Pump Station #6)**
- R-11-2021-232 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WESTON & SAMPSON ENGINEERS, PC FOR PROFESSIONAL ENGINEERING SERVICES FOR PUMP STATION NO. 2 IMPROVEMENTS FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (\$321,700.00) (Union Valley Road)**

**R-11-2021-233                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
FERNANDES CONSTRUCTION INC. FOR DRAINAGE  
IMPROVEMENTS ON ANDREW DRIVE. (\$15,953.46)**

**R-11-2021-234                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
FERNANDES CONSTRUCTION INC. FOR DRAINAGE  
IMPROVEMENTS ON MORNING GLORY DRIVE. (\$15,558.18)**

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

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

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

9. **Agenda Meeting Adjournment.**                            Time: \_\_\_\_\_

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

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**

**NOVEMBER 3, 2021**

**AGENDA**

1. **REGULAR MEETING CALLED TO ORDER:** Time: \_\_\_\_\_

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

2. **MOTION** to approve the payment of **CLAIMS** per run date **October 28, 2021**.

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

3. **APPROVAL OF MINUTES:**

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

**September 1, 2021** – **Agenda and Regular Combined Meeting**

**October 4, 2021** – **Agenda and Regular Combined Meeting**

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

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

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

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

5. **RESOLUTIONS** for **CONSIDERATION** under the **CONSENT AGENDA:** (R-11-2021-219 – R-11-2021-234)

**R-11-2021-219** **RESOLUTION AUTHORIZING REFUND OF A SHADE TREE REMOVAL PERMIT FEE. (\$35.00)**

**R-11-2021-220** **RESOLUTION OF AUTHORIZING AWARD OF BID TO BRENNAN BROTHERS CONTRACTING, LLC. FOR THE BUILDING DEMOLITION (VARIOUS LOCATIONS) PROJECT. (\$169,968.75)**

**R-11-2021-221** **RESOLUTION OF AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1014 MORNING GLORY DRIVE.**

**R-11-2021-222** **RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES. (Refund to Environmental Management Assoc. totaling \$150.00)**

**R-11-2021-223** **A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A QUALIFIED PRIVATE COMMUNITY REIMBURSEMENT AGREEMENT WITH THE GABLES AT MONROE HOMEOWNER'S ASSOCIATION.**

- R-11-2021-224 RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 29 FOREST PARK TERRACE.**
- R-11-2021-225 RESOLUTION AUTHORIZING BUDGET APPROPRIATION RESERVE TRANSFERS. (\$20,000)**
- R-11-2021-226 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-11-2021-227 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INDEMNITY AND TRUST AGREEMENT REJOINING THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND. (Term: January 1, 2022 – December 31, 2024)**
- R-11-2021-228 RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF AN OUTDOOR PAVILLION FOR THE MONROE TOWNSHIP SENIOR CENTER UNDER THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE. (\$169,000.00)**
- R-11-2021-229 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND APPROVING EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, LOCAL FREIGHT IMPACT FUND FOR SOUTH MIDDLESEX INDUSTRIAL PARK ROADWAY IMPROVEMENTS, PHASE 2.**
- R-11-2021-230 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR JSM AT MONROE, LLC. – WEST STOCKPILE – SECTION 1, PHASE 1 PB-1167-15. (Monroe Parke - Mounts Mills Road)**
- R-11-2021-231 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO KMETZ, INC.FOR THE CONSTRUCTION OF “LEACHATE FORCE MAIN” FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (\$2,191,624.00) (From BFI Landfill to Avenue K Pump Station #6)**
- R-11-2021-232 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO WESTON & SAMPSON ENGINEERS, PC FOR PROFESSIONAL ENGINEERING SERVICES FOR PUMP STATION NO. 2 IMPROVEMENTS FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (\$321,700.00) (Union Valley Road)**
- R-11-2021-233 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO FERNANDES CONSTRUCTION INC. FOR DRAINAGE IMPROVEMENTS ON ANDREW DRIVE. (\$15,953.46)**
- R-11-2021-234 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO FERNANDES CONSTRUCTION INC. FOR DRAINAGE IMPROVEMENTS ON MORNING GLORY DRIVE. (\$15,558.18)**

MOTION:\_\_\_\_SECOND:\_\_\_\_ ROLL CALL: Ayes\_\_\_\_Nays\_\_\_\_

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

MOTION:\_\_\_\_SECOND:\_\_\_\_ ROLL CALL: Ayes\_\_\_\_Nays\_\_\_\_

7. **Administrator’s Report.**

8. **Engineer’s Report.**

9. **Council's Reports.**

10. **Mayor's Report.**

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

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

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

12. **Adjournment.** MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

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

**TOWNSHIP OF MONROE**  
**COUNCIL MEETING MINUTES**  
**MEETING OF THE MONROE TOWNSHIP COUNCIL – November 3, 2021**

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

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

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

**ALSO, PRESENT:** Mayor Stephen Dalina, Business Administrator Alan M. Weinberg, Township Attorney Lou Rainone, Engineer Mark Rasimowicz, Utility Director Joseph Stroin and Deputy Township Clerk Christine Robbins.

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

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

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

Township Clerk Patricia Reid read aloud the proclamations for the month of November noting that November 7, 2021 is the Middlesex County Out of the Darkness Community Walk and November is Family Court Awareness Month.

Township Clerk Patricia Reid read the following entitled **ORDINANCES** for **SECOND READING** at the **WEDNESDAY, NOVEMBER 3, 2021** Regular Council Meeting:

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

Township Clerk Patricia Reid read the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, NOVEMBER 3, 2021** Regular Council Meeting: (R-11-2021-219 – R-11-2021-234)

**R-11-2021-219                    RESOLUTION AUTHORIZING REFUND OF A SHADE TREE REMOVAL PERMIT FEE. (\$35.00)**

**R-11-2021-220                    RESOLUTION OF AUTHORIZING AWARD OF BID TO BRENNAN BROTHERS CONTRACTING, LLC. FOR THE BUILDING DEMOLITION (VARIOUS LOCATIONS) PROJECT. (\$169,968.75)**

- R-11-2021-221 RESOLUTION OF AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1014 MORNING GLORY DRIVE.**
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- R-11-2021-234 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO FERNANDES CONSTRUCTION INC. FOR DRAINAGE IMPROVEMENTS ON MORNING GLORY DRIVE. (\$15,558.18)**

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



**PUBLIC COMMENTS:**

**Gary Busman, 7 Monarch Rd.** – Mr. Busman asked for an explanation on R-11-2021-223; Attorney Rainone answered that the municipality is required to enter into agreements with the condo associations for street lighting and snow removal.

Mr. Busman asked for an explanation of the process for R-11-2021-228; Administrator Weinberg answered that this is part of the procurement process to come up with the exact prices so we can purchase from those approved prices.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that R-11-2021-227 is a great resolution to have joint insurance with the local government and asked if this could be done with the fire districts and school district; Attorney Rainone answered that there are funds for the fire and school so they could join.

Mr. Parab asked in regard to R-11-2021-229 if this goes toward the County and local roadways and asked for an explanation on the parameters; Engineer Rasimowicz answered that Phase I is South Middlesex Blvd. and Phase II is Englehart Dr. He further explained that this is a local freight grant and is for roadways with a certain amount of truck traffic to be used for improvement purposes.

Mr. Parab asked for an explanation of R-11-2021-231, asking what the leachate force main is for and if we are receiving grants for this as the cost is \$2.9 million; Attorney Rainone answered that the leachate is a product of the BFI landfill and the force main will take it directly to a pump station where from there it would go to the County utilities. He added that there are further discussions about the costs ongoing with BFI.

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

**UPON MOTION** made by Councilman Baskin and seconded by Council Vice-President Schneider, the Agenda Meeting was Adjourned at 6:39pm.

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

**UPON MOTION** made by Councilman Dipierro and seconded by Council Vice-President Schneider, the Regular Meeting was Called to Order at 6:39pm.

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

**UPON MOTION** made by Councilman Van Dzura and seconded by Councilman Dipierro, the **CLAIMS** per run date of **10/28/2021** were approved for payment as written and presented.

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

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Van Dzura, the **MINUTES** of the **September 1, 2021 and October 4, 2021 Agenda and Regular Combined Meetings** were approved as written and presented.

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

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

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

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

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

**UPON MOTION** made by Councilman Baskin and seconded by Councilman Dipierro the following Resolutions were moved for Adoption under the **CONSENT AGENDA:**  
 (R-11-2021-219 – R-11-2021-234)

**R-11-2021-219                    RESOLUTION AUTHORIZING REFUND OF A SHADE TREE REMOVAL PERMIT FEE. (\$35.00)**

**WHEREAS**, the Shade Tree Secretary, by copy of a letter dated October 14, 2021, copy of which is attached hereto as Exhibit “A”, has recommended the Council approve the following shade tree removal permit refund:

Refund to:	Reason	Amount
Marie DiTirro 13 Camelot Drive Monroe Twp., NJ 08831	permit applied for in error, the tree in question is a Township tree.	\$ 35.00

**WHEREAS**, Council has reviewed the recommendation of the Shade Tree Secretary and finds the request for the above refunds to be reasonable;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the request is hereby authorized and that a refund be made to **Marie DiTirro. in the amount of \$35.00.**

**SO RESOLVED**, as aforesaid.

**R-11-2021-220                    RESOLUTION OF AUTHORIZING AWARD OF BID TO BRENNAN BROTHERS CONTRACTING, LLC. FOR THE BUILDING DEMOLITION (VARIOUS LOCATIONS) PROJECT. (\$169,968.75)**

**WHEREAS**, on September 22, 2021 five (5) sealed bids were received by Monroe Township regarding the **Building Demolition Various Locations Project**; and

**WHEREAS**, the Township Engineer, by copy of letter dated September 22, 2021, has recommended **Brennan Brothers Contracting, LLC, 28 Maple Street Old Bridge, N.J. 08857** to be awarded the contract based upon their bid submission in the amount of **\$169,968.75**; 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-2100041, 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 ***Brennan Brothers Contracting, LLC.*** for the **Building Demolition Various Locations Project**, at a total contract price of **\$169,968.75**; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute a contract with ***Brennan Brothers Contracting, LLC.***; and

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

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

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

**SO RESOLVED**, as aforesaid.

**R-11-2021-221                      RESOLUTION OF AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 1014 MORNING GLORY DRIVE.**

**WHEREAS**, on June 5, 2008, Shannin L. Clarkson, ("Clarkson"), unmarried, gave a repayment mortgage in accordance with the State's Affordable Housing Program, to the Township of Monroe, requiring Kim to pay the sum of \$102,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1014 Morning Glory Drive, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on June 16, 2008, in Book 13026, Page 0310 *et seq.* (the Affordable Housing Lien); and

**WHEREAS**, on June 5, 2008, Clarkson gave a mortgage to PNC Mortgage, LLC, in the amount of \$141,000.00, said mortgage having been recorded with the Middlesex County Clerk on June 16, 2008 in Mortgage Book 13026, Pages 0284 *et seq* (the "2008 PNC Mortgage, LLC"); and

**WHEREAS**, Clarkson has applied to refinance the 2008 PNC Mortgage, LLC and has asked the Township of Monroe to subordinate the Affordable Housing Lien; and

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

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

**SO RESOLVED**, as aforesaid.

**R-11-2021-222                      RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEES. (Refund to Environmental Management Assoc. totaling \$150.00)**

**WHEREAS**, the Construction Official, by copy of letter dated October 20, 2021, copy of which is attached hereto as Exhibit "A", has recommended the Council approve the following construction permit refunds:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
Environmental Management Assoc. 5303 Route 33 & 34 Farmingdale, NJ 07727	Permit # 20193290 Requests refund due to clerical error	<b>\$ 150.00</b>

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the request is hereby authorized and that a refund be made to **Environmental Management Associates in the amount of \$150.00**.

**SO RESOLVED**, as aforesaid.

**R-11-2021-223                    A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A QUALIFIED PRIVATE COMMUNITY REIMBURSEMENT AGREEMENT WITH THE GABLES AT MONROE HOMEOWNER'S ASSOCIATION.**

**WHEREAS**, the Municipal Services Act, N.J.S.A. 40:67-23.2, et seq., and amendments thereto ("the Act"), provides in pertinent part that "qualified, private communities" (as such terms is defined in the Act) are entitled to receive certain municipal services; and

**WHEREAS**, the Act provides that, in lieu of providing such municipal services to the Association, the municipality shall have the option to financially reimburse the Association in an amount not to exceed the cost that would be incurred by the municipality in providing such services directly; and

**WHEREAS**, The Gables at Monroe Homeowners Association is a "qualified private community" as defined by Act; and

**WHEREAS**, the Township Attorney has prepared a Qualified Private Community Reimbursement Agreement, as described in substantially the form appended hereto as Attachment A; and

**WHEREAS**, the Mayor and the Township Council agree that The Gables at Monroe Homeowners Association is entitled to reimbursement for certain municipal services as defined by the Act.

**NOW, THEREFORE, BE IT RESOLVED** on this 3<sup>rd</sup> day of November 2021, the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute the Township is hereby authorized to execute the attached Qualified Private Community Reimbursement Agreement with The Gables at Monroe Homeowners Association as described in substantially the form annexed hereto as Attachment A.

**SO RESOLVED**, as aforesaid.

**R-11-2021-224                    RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 29 FOREST PARK TERRACE.**

**WHEREAS**, on November 3, 2011, Joseph Avitto and Dina DiMatteo Avitto, ("Avitto's"), married, gave a repayment mortgage in accordance with the State's Affordable Housing Program, to the Township of Monroe, requiring the Avitto's to pay the sum of \$41,863.00 to the Municipality upon the first non-exempt sale of their property having an address of 29 Forest Park Terrace, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on January 9, 2012, in Book 14570, Pages 822 *et seq.* (the Affordable Housing Lien); and

**WHEREAS**, on June 26, 2007, the Avitto's gave a mortgage to Countrywide Home Loans, Inc., in the amount of \$191,000.00, said mortgage having been recorded with the Middlesex County Clerk on July 20, 2007 in Mortgage Book 12504, Pages 547 *et seq.* (the "2007 Countrywide Home Loans, Inc. Mortgage"); and

**WHEREAS**, on October 19, 2011, the Countrywide Home Loans, Inc. Mortgage was assigned to the Bank of New York Mellon FKA the Bank of New York, as Trustee for Certificate Holders of CWAB, Inc., Asset-Backed Certificates Series 2007-13, said assignment of mortgage having been recorded with the Middlesex County Clerk on October 25, 2011 in Mortgage Book 1063, Pages 346 *et seq.* (the "2011 Bank of New York FKA the Bank of New York, Mortgage"); and

**WHEREAS**, the Avitto's have applied to refinance the Countrywide Home Loans, Inc. Mortgage (the "2007 Countrywide Home Loans, Inc. Mortgage") assigned to the Bank of New York Mellon FKA the Bank of New York Mortgage (the "2011 Bank of New York FKA the Bank of New York, Mortgage"), and have asked the Township of Monroe to subordinate the Affordable Housing Lien; and

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

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

**SO RESOLVED**, as aforesaid.

**R-11-2021-225                      RESOLUTION AUTHORIZING BUDGET APPROPRIATION  
 RESERVE TRANSFERS. (\$20,000)**

**WHEREAS**, there are certain 2021 budget appropriation reserves of the Township of Monroe which may be insufficient to meet the requirements of the Township's affairs; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe that the transfers itemized below are hereby authorized among the following 2021 accounts:

<u>CURRENT FUND TRANSFER FROM</u>	<u>TRANSFER AMOUNT</u>
Emergency Management OE	<u>\$20,000.00</u>
<b>TOTAL CURRENT FUND:</b>	<b>\$ 20,000.00</b>
<u>TRANSFER TO:</u>	<u>AMOUNT</u>
Animal Control OE	<u>\$20,000.00</u>
<b>TOTAL CURRENT FUND:</b>	<b>\$20,000.00</b>

**SO RESOLVED**, as aforesaid.

**R-11-2021-226                      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 Eight Thousand Three Hundred Seven dollars and Fifty-Two cents (\$8,307.52) for the amounts described on Schedule A and attached hereto; and

**WHEREAS**, good cause has been shown; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe in the County of Middlesex and State of New Jersey that the Township'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-11-2021-227 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INDEMNITY AND TRUST AGREEMENT REJOINING THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND. (Term: January 1, 2022 – December 31, 2024)**

**WHEREAS**, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (N.J.S.A. 40A:10-36 et seq.); and

**WHEREAS**, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

**WHEREAS**, the Governing Body of the Township of Monroe (hereinafter referred to as the “Municipality”) in the County of Middlesex, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the “Fund”) is in the best interest of itself and its citizens; and

**WHEREAS**, the Township Council of the Township of Monroe, in the County of Middlesex, and State of New Jersey has previously executed Resolution R-12-2018-329 joining the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment; and

**NOW, THEREFORE, BE IT RESOLVED** The Township of Monroe does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years, beginning January 1, 2022 and terminating December 31, 2024, for the purpose of establishing the following types of coverage as follows:

- a. Workers Compensation and Employer’s Liability
- b. General Liability including law enforcement and public officials’ liability
- c. Motor Vehicle Liability
- d. Property Damage Coverage (including building and contents)
- e. Inland Marine Coverage
- f. Cyber Liability
- g. Non-owned Aircraft Liability
- h. Crime and Public Official Position Bonds
- i. Disaster Management Services

**BE IT FURTHER RESOLVED** The Township of Monroe does hereby resolve that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution.

**BE IT FURTHER RESOLVED** The Mayor and Township Clerk are hereby authorized and directed to execute the indemnity and Trust Agreement, attached hereto and made a part hereof, and other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

**SO RESOLVED**, as aforesaid.

**R-11-2021-228 RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF AN OUTDOOR PAVILLION FOR THE MONROE TOWNSHIP SENIOR CENTER UNDER THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE. (\$169,000.00)**

**WHEREAS**, the Township of Monroe, in the County of Middlesex, wishes to purchase and install an outdoor pavilion, to be constructed for the purpose of providing shade for outdoor programs, under the Educational Services Commission of New Jersey Cooperative contract # ESCNJ 20/21-06 for the Monroe Township Senior Center as hereinbelow set forth:

(1) 30’X 60’ Steel Gable Shelter w/ T&G Wood Roof Deck and Metal Roofing	\$80,835.50
(1) Installation by Certified Installer – includes install of shelter, furnish and install of concrete pad and receiving equipment at delivery	<u>\$88,164.50</u>
	<b>\$169,000.00; and</b>

**WHEREAS**, the outdoor pavilion will be purchased through *MRC, P.O. Box 106, Spring Lake, NJ 07762* as per attached quote; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2100042 a copy of which is attached hereto as Exhibit "A"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe that MRC is hereby awarded the contract for the purchase and installation of an outdoor pavilion at a total contract price of **\$169,000.00**.

**SO RESOLVED**, as aforesaid.

**R-11-2021-229                    RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND APPROVING EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, LOCAL FREIGHT IMPACT FUND FOR SOUTH MIDDLESEX INDUSTRIAL PARK ROADWAY IMPROVEMENTS, PHASE 2.**

**WHEREAS**, the Township of Monroe is desirous of filing an application for municipal aid under the Local Freight Impact Fund for certain municipal improvements which qualify for said funding;

**NOW, THEREFORE BE IT RESOLVED**, that the Township of Monroe hereby authorizes and approves submission of a Grant Application and execution of a Grant Agreement with the New Jersey Department of Transportation for the South Middlesex Industrial Park Roadway Improvements, Phase 2; and

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic Grant Application, on behalf of the Township of Monroe, identified as LFIF-2022-South Middlesex Industrial Park Roadway Improvements, Phase 2-00019 for Monroe Township to the New Jersey Department of Transportation; and

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to execute the Grant Agreement, on behalf of the Township of Monroe, and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approval of the execution of the Grant Agreement.

**SO RESOLVED**, as aforesaid.

**R-11-2021-230                    RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR JSM AT MONROE, LLC. – WEST STOCKPILE – SECTION 1, PHASE 1 PB-1167-15. (Monroe Parke - Mounts Mills Road)**

**WHEREAS, JSM at Monroe, LLC.** has posted Performance Guarantees for the Section 1, Phase 1 - West Stockpile project (PB-1167-15); and

**WHEREAS**, a request was made for the 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 has recommended release of the Performance Guarantees; and

**WHEREAS**, per the Township Engineer, no maintenance guarantee is required for the stockpile, as the area is now bonded under another performance guarantee for the site; 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 JSM at Monroe, LLC – Section 1, Phase 1 - West Stockpile project (PB-1167-15), be released as reflected in the Township Engineer's letter dated October 15, 2021, attached hereto.

**SO RESOLVED**, as aforesaid.

**R-11-2021-231                    RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO  
KMETZ, INC. FOR THE CONSTRUCTION OF “LEACHATE  
FORCE MAIN” FOR THE MONROE TOWNSHIP UTILITY  
DEPARTMENT (“M.T.U.D.”). (\$2,191,624.00)  
(From BFI Landfill to Avenue K Pump Station #6)**

**WHEREAS**, on October 27, 2021 at 10:00 AM, seven (7) sealed bids were received, publicly opened and read aloud, by the Monroe Township Utility Department Purchasing Agent for, “Leachate Force Main”, as required by the M.T.U.D.; and

**WHEREAS**, the M.T.U.D. Consulting Engineer CME Associates, Inc. has reviewed the bids and recommended the award of a contract to the low bidder KMETZ, INC. based on their bid of \$2,191,624.00, a copy of which is attached hereto as Exhibit “B”; and

**WHEREAS**, based upon said Engineer reviews and recommendations, and a positive review by the Township Attorney, the M.T.U.D. Purchasing agent, after consultation with the M.T.U.D. Director has recommended in a letter dated April 21, 2021, that KMETZ, INC. of 10 Fresh Ponds Rd., East Brunswick, NJ 08816 be awarded a contract based on their low bid of \$2,191,624.00, pricing contained within their bid documents subject to them providing proper required bond and certificates of insurance and performance bond, a copy of which is attached hereto as Exhibit “C”; and

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Financial Officer has certified availability of funds in Certificate No. M-210026, a copy of which is attached hereto as Exhibit “A”; and

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

- (1) The Mayor and Township Clerk are hereby authorized to enter into a contract with KMETZ, INC. in accordance with their submitted bid;
- (2) The Township Chief Financial Officer is hereby authorized and directed to pay invoices for services provided by KMETZ, INC. in accordance with their bid;
- (3) The contract is awarded through the competitive bid process in accordance with the Local Public Contracts Law;
- (4) This contract is awarded with the stipulation that KMETZ, INC shall provide the required bonds and properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-11-2021-232                    RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO  
WESTON & SAMPSON ENGINEERS, PC FOR PROFESSIONAL  
ENGINEERING SERVICES FOR PUMP STATION NO. 2  
IMPROVEMENTS FOR THE MONROE TOWNSHIP UTILITY  
DEPARTMENT (“M.T.U.D.”). (\$321,700.00)  
(Union Valley Road)**

**WHEREAS**, the Monroe Township Utility Department (M.T.U.D.) had the need for Professional Engineering Services including, but not limited to design, permitting, bid, and construction phase services for Improvements to its Pump Station No. 2; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, after advertisement on the M.T.U.D. and Township’s website for not less than 10 days, Statements of Qualifications for General Water & Sewer Engineering Services were publicly opened for calendar Year 2021; and

**WHEREAS**, the Utility Department solicited proposals from (5) five firms that were deemed “qualified” through the request for qualifications process for professional engineering services, and received (3) three responses to the RFP (Weston & Sampson included (2) proposed solutions in their submission – Alt 1 and Alt 2); and

**WHEREAS**, WESTON & SAMPSON ENGINEERS, PC (Weston & Sampson) “Alt 2” proposal was scored highest by the 4-person evaluation team, based on the predetermined weighted criteria listed in the RFP, a copy of proposal (partial) is attached hereto as Exhibit “B”; and

**WHEREAS**, the amount of the WESTON & SAMPSON’s proposal for “Alt 2” is \$321,700.00; and



**WHEREAS**, the M.T.U.D. Purchasing Agent, after review with the M.T.U.D. Director, by copy of a memo dated October 28, 2021, recommends, based on results of the evaluation team's scoring, that the Council approve and award a contract in the amount of \$321,700.00 to Weston & Sampson based on their proposal for "Alt 2 – "Retrofit existing pump station", a copy of which is attached hereto as Exhibit "C"; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Finance Officer has certified availability of funds in Certificate No. M-210024 a copy of which is attached hereto as Exhibit "A"; and

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

(1) The Mayor and Township Clerk are hereby authorized to enter into a contract with WESTON & SAMPSON, for Professional Engineering Services, in accordance with the proposal in the amount of \$321,700.00;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for services rendered by WESTON & SAMPSON in accordance with the attached proposal;

(3) The contract is awarded without competitive bidding through a fair and open RFQ/RFP process as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law;

(4) The contract award is subject to WESTON & SAMPSON providing the required valid certificate of insurance is provided.

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

**SO RESOLVED**, as aforesaid.

**R-11-2021-233                      RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
FERNANDES CONSTRUCTION INC. FOR DRAINAGE  
IMPROVEMENTS ON ANDREW DRIVE. (\$15,953.46)**

**WHEREAS**, on October 29, 2021, the Township of Monroe has solicited proposals for Drainage Improvements on Andrew Drive; and

**WHEREAS**, Center State Engineering Associates, Inc. has solicited proposals from a total of seven (7) companies as follows:

Fernandes Construction Inc. -	\$15,953.46
Lucas Construction –	\$17,450.00
Black Rock -	\$17,460.00
B&W Construction -	\$21,920.75
S&G Paving –	\$25,370.00
PM Construction -	\$25,440.00
Seacoast -	\$35,220.00

**WHEREAS**, the Township Engineer has reviewed the proposals received and, by copy of letter dated October 29, 2021, recommends the award of contract to ***Fernandes Construction Inc.***, 25 Stonegate Drive Monroe Twp., N.J. 08831 in the amount of **\$15,953.46**; and

**WHEREAS**, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.A.C. 17:27-1, et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor of business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the affirmative action plan approved under the terms established in the above-cited regulations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex that it has rendered its advice and hereby consents to the award of contract, to ***Fernandes Construction, Inc.***, for drainage improvements on Andrew Drive at a total contract price of **\$15,953.46**; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-2100043, a copy of which is attached hereto; and

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

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

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that *Fernandes Construction, Inc.* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting 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-11-2021-234                      RESOLUTION AUTHORIZING AWARD OF CONTRACT TO  
FERNANDES CONSTRUCTION INC. FOR DRAINAGE  
IMPROVEMENTS ON MORNING GLORY DRIVE. (\$15,558.18)**

**WHEREAS**, on October 29, 2021, the Township of Monroe has solicited proposals for Drainage Improvements on Morning Glory Drive; and

**WHEREAS**, Center State Engineering Associates, Inc. has solicited proposals from a total of seven (7) companies as follows:

Fernandes Construction Inc. -	\$15,558.18
Lucas Construction –	\$16,940.00
Black Rock -	\$18,575.00
B&W Construction -	\$19,523.50
S&G Paving –	\$22,525.00
PM Construction -	\$24,020.00
Seacoast -	\$37,310.00

**WHEREAS**, the Township Engineer has reviewed the proposals received and, by copy of letter dated October 29, 2021, recommends the award of contract to *Fernandes Construction Inc.*, 25 Stonegate Drive Monroe Twp., N.J. 08831 in the amount of **\$15,558.18**; and

**WHEREAS**, no contract that is subject to the requirements of Article 3 of the Affirmative Action Regulations pursuant to Public Law 1975, Chapter 127 (N.J.A.C. 17:27-1, et seq.) shall be awarded by the Township of Monroe, nor shall any monies be paid thereunder, to any contractor, subcontractor of business firm that has not agreed and guaranteed to comply with Affirmative Action Regulations and to afford equal opportunity in the performance of the contract in accordance with the affirmative action plan approved under the terms established in the above-cited regulations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex that it has rendered its advice and hereby consents to the award of contract, to *Fernandes Construction, Inc.*, for drainage improvements on Morning Glory Drive at a total contract price of **\$15,558.18**; and

**WHEREAS**, the Township's Certified Municipal Finance Officer has determined that sufficient funds are available, as evidenced by Certificate No. C-2100044, a copy of which is attached hereto; and

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

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

**BE IT FURTHER RESOLVED** that the contract is awarded with the stipulation that *Fernandes Construction, Inc.* shall comply with Affirmative Action Regulations, including revising their contracts as necessary to add mandatory affirmative action language, and submitting 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.

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

Copy of Resolutions Duly Filed.

**Administrator's Report** – Thanked the Mayor and Council for moving forward with the force main for the BFI landfill, noting that it is a good thing for the neighborhood.

**Engineer's Report** – Reported that the Council introduced an ordinance to begin the acquisition of land for the intersection improvement grant project at the intersection of Mounts Mills Road and Old Bridge-Englishtown Road.

### **Council's Reports –**

#### **Councilman Dipierro –**

- Thanked the Township employees as it has been difficult with Covid and all departments have done a phenomenal job through this time.
- Stated that there was a carjacking done at gunpoint and he passed the message to Chief Biennas, Administrator Weinberg and Mayor Dalina but has heard nothing back about alerting our residents. He reminded everyone to keep doors locked and lights on and watch out for one another as a community.
- Asked for an update on the ADA inclusive playground at the Prospect Plains Soccer Complex; Engineer Rasimowicz answered that we are close to going out to bid and anticipate that to happen in the next couple of weeks.
- Commented about the sewer connection at Daniel Ryan Field for the old building as he does not want that to get left behind and it is needs to be connected to the public sewer system.
- Asked for the timeframe on the punch list for the Matchaponix/Spotswood Gravel Hill Road Improvement Project; Engineer Rasimowicz responded that they have been actively working on it but there is no formal close out as it has to go through the County. He noted that they have finished with the landscaping.
- Commented that no proposals were received for the snow bid and asked when that would be coming out; Administrator Weinberg answered that we have an active contract with one company with larger trucks but are looking for one with smaller trucks. He added that this needs to be discussed further with DPW as this type of bid is very competitive and difficult, but we have so far been able to keep up with the snow plowing with DPW and the existing contract.
- Congratulated all of the Candidates and winners of the election and extended thanks to the Clerk's Office for the incredible job done.

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

- Participated in the Trick or Treat drive-thru at the Recreation Center and passed out goodie bags to all who drove through which was a pleasure.
- Commented that Octoberfest was wonderful and thanked all of the volunteers who made it a success.
- Thanked everyone who helped get her elected.
- Updated everyone that the contractors have begun work on her home and she is very pleased.

#### **Councilman Van Dzura –**

- Commented that Octoberfest was a great day for all.
- Noted that we received approval for another State grant for roadway improvements, notably for Spotswood-Englishtown Road and extended thanks to the Administration for moving forward with these improvements.
- Complimented the Township for moving forward with the force main for the BFI landfill, stating that it is nice to see action being taken.
- Noted that the traffic light at Mounts Mills Road is also moving forward.
- Stated that there is a Veteran's celebration at the Senior Center on Friday and a wreath laying ceremony at 9:00am at the Municipal Building.
- Wished everyone a Happy Thanksgiving.

**Councilman Baskin –**

- Congratulated all the candidates who ran in the election.
- Discussed some Election Day voting challenges and how he worked in North Brunswick as a poll worker.

**Council President Cohen –**

- Invited all to attend the Veteran's Day celebrations and commented how she is a Daughter and Niece of WWII veterans..
- Thanked the Clerk's Office for all they did during the election.

**Mayor's Report –** Thanked the Clerk's Office for all they did during the election and for being able to put together the Council meeting the very next day.

Commented that he is happy to see some who participated in the election process here in the audience and noted that he is looking forward to working together with everyone here as well. He noted that we all want the best for the Township and with the election being over we must focus on governance.

Invited all to attend the Veteran's Day ceremonies on November 11<sup>th</sup> at the Municipal Building and Avenue K.

Wished everyone a Happy Thanksgiving.

**Township Clerk Patricia Reid –** Thanked her staff, continued support of Mayor Dalina, Council, Administrator Weinberg and the entire administration for their support, as well as, to Greg Slavicek and DPW staff with signage and daily help. Leah and the Library for hosting the early voting event, Chief Biennas and his staff for the security at the drop box and the local chairs, poll worker coordinators and poll workers. She also extended thanks to the voters who remained patient through the new voting process.

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

**PUBLIC COMMENTS:**

**Christine Patterson, 14 Lincoln Ct.** – Ms. Patterson congratulated everyone and stated she is grateful in knowing that all will do their best for the Township.

Praised the Clerk's Office for all of their hard work and understanding.

Asked if there was a way to address the political sign ordinance to try and tighten up some aspects as she stated that she does not want to restrict people's right to express themselves but there should be sometime about 12 signs for the same person within 2 feet of each other. She asked if a spacing requirement could be made and if there is a way to make sign stealing more than just a disorderly person's offense.

**Andrea Pellezzi, 57 Yorkshire Dr.** – Ms. Pellezzi commented that the League of Women Voter's had a meeting and discussed the signage issues. She stated that she requested a copy of the sign ordinance from the Clerk's Office and noted that as soon as the League of Women Voter's goes through that they will be happy to share their findings.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman congratulated and thanked all the winning candidates. He stated that regardless of what happens, the courage to run and put yourself up front is a great task.

Mr. Gunkelman asked in regard to R-11-2021-231 if that was a complete bid, as well as, if it takes care of repaving, if there is a bond for refill once it settles and how complete is the bid and what else are we on the hook for. Administrator Weinberg answered that this is the longest lead item and covers everything. He added that there will be a separate bid item regarding a pump line.

Mr. Gunkelman asked in regard to R-11-2021-220 what we are demolishing and where this is located, as well as, how many bids were received. Administrator Weinberg answered that this is for 2 locations, one at the corner of Mounts Mills Road and Buckelew Avenue, where there is the former farm, we will be taking down 2 buildings. The next one is located on Spotswood-Englishtown Road where we will be taking down the old police building. He noted that we are working with the County to preserve the land. Engineer Rasimowicz answered that 5 bids were received for the project.

**Prakash Parab, 33 Dayna Dr.** – Mr. Parab commented that tomorrow, November 4<sup>th</sup> is Diwali. He wished everyone a Happy Diwali and Thanksgiving.

Commented that we have to appreciate the people who run for elections and extended congratulations to all of those who won.

Commented regarding the sign ordinance that it will be debated and will bring constitutional rights into play.

Shared that the India Civic Association will be collecting food for Diwali with it being donated to local food pantries.

Mr. Parab asked how local residential areas without HOAS will have their roadways taken care of as his area has hundreds of cracks and fissures in the roadways. He asked if they were going to be sealed and how will it be made sure that the damage is controlled; Administrator Weinberg answered that the DPW evaluates the roadways and every year we sit with the Police, DPW and Engineering departments to decide which roadways need the most help. He added that he will take note of this.

**Michelle Arminio, 9 Nathaniel St.** – Mrs. Arminio congratulated all for the election and wished good luck to all. She added to keep in mind that those chosen to govern all constituents of Monroe.

Commented that she is disappointed to see that the resolution for the shared services agreement between the Township and Board of Education is not on tonight's agenda and hopes that promises are kept now that the election is over; Mayor Dalina responded, stating that he just received the agreement, so he was unable to add it to tonight's agenda but guarantees it will be on December's meeting.

Mrs. Arminio stated that during the election some people were turned away without being offered a provisional ballot and there is something wrong with that. She added that there were so many issues with people being turned away that the League of Women Voter's and the Civil Liberties tried to extend the polling time but were denied by a judge. She stated that if poll workers do not know that people can be provided with provisional ballots then that is wrong, and a voter should never be turned away.

Lastly, Mrs. Arminio commented that both parties do not have clean hands when it comes to signage and she wants the discussion to be fair and not directed toward those people with who the voters do not agree with.

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

**UPON MOTION** made by Councilman Baskin and seconded by Council Vice-President Schneider, the Regular Meeting was Adjourned at 7:24pm.

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

*Patricia Reid*  
PATRICIA REID, Township Clerk

*Miriam Cohen*  
MIRIAM COHEN, Council President

Minutes were adopted on: December 27, 2021.