

** The public will be able to fully participate in the meeting through their smart phone or computer by accessing this **Website:** <https://us04web.zoom.us/j/106827708>

Or you may call any of the following numbers with your phone. Meeting ID# **106 827 708**

+1 (312) 626 6799	+1 (301) 715 8592
+1 (929) 205 6099	+1 (346) 248 7799
+1 (253) 215 8782	+1 (669) 900 6833

**** Please note: by calling in you will only be able to hear the meeting and will not be able to participate with any public comment.**

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 4, 2020

AGENDA

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

2. Salute to the Flag.

3. **ROLL CALL:**

Councilman Leonard Baskin
Councilman Stephen Dalina
Councilman Charles Dipierro
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 January 2, 2020 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 3, 2020;
3. Remote meeting notice printed in the Home News Tribune and noticed to the Cranbury Press on October 26, 2020; and
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

5. **ORDINANCE(S)** for **SECOND READING** at the November 4, 2020 Regular Meeting:

O-10-2020-020 **ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MONROE TO ADD NEW CHAPTER 80 ENTITLED "PROHIBITION OF SHORT-TERM RENTALS".** (not less than 30 days)

6. **ORDINANCE(S)** for **INTRODUCTION** at the November 4, 2020 Regular Meeting:

O-11-2020-021 **ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE NON-EXCLUSIVE EASEMENTS OVER PROPERTY LOCATED AT BLOCK 56, LOTS 9.04, 87 AND 90.** (Water service to Matrix Corporate Park in Monroe Twp., off of Stonaker Road)

7. **RESOLUTIONS for CONSIDERATION under CONSENT AGENDA at the November 4, 2020, Regular Meeting: (R-11-2020-221 – R-11-2020-243)**

- R-11-2020-221** **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF OLD BRIDGE FOR THE PROVISION OF JOINT ANIMAL CONTROL SERVICES.**
(Emergency Coverage Services)
- R-11-2020-222** **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF OLD BRIDGE AND TOWNSHIP OF MONROE FOR ANIMAL SHELTER SERVICES.**
(unit pricing; January 1, 2021 – December 31, 2021)
- R-11-2020-223** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (2 Trucks and accessories - \$90,374.10)
- R-11-2020-224** **RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1114 MORNING GLORY DRIVE.**
- R-11-2020-225** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP CONSTRUCTION DEPARTMENT.** (2 SUVs - \$57,195.34)
- R-11-2020-226** **RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE.** (India US Forum of Monroe Township - \$350.00)
- R-11-2020-227** **RESOLUTION AUTHORIZING AMENDMENT #2 TO A PROFESSIONAL SERVICE CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL WELL 25 ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Change of scope in services, no additional money)
- R-11-2020-228** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ITRON, INC. FOR SECTION “C” OF CONTRACT 492 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)** (unit pricing)
- R-11-2020-229** **RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-11-2020-230** **RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-11-2020-231** **RESOLUTION REGARDING EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS AND RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC OR REMOTE PUBLIC MEETINGS.** (new DCA/DLGS requirement)
- R-11-2020-232** **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2020 RENAISSANCE AT MONROE BOND IMPROVEMENTS.** (\$20,000 from Developers Cash Bond)
- R-11-2020-233** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR ROCKY BROOK ESTATES – SITE IMPROVEMENTS – PB-1041-07.**
(Disbrow Hill Rd)

- R-11-2020-234** **RESOLUTION AUTHORIZING TAX APPEAL STIPULATION OF SETTLEMENT FOR MONROE HOTEL INVESTMENT LLC BLOCK 55, LOT 9.5 FOR TAX YEAR 2020.** (390 Forsgate Drive)
- R-11-2020-235** **RESOLUTION AUTHORIZING THE RELEASE OF SETTLEMENT FUNDS FROM ESCROW IN CONNECTION WITH THE SENIOR CENTER CONSTRUCTION PROJECT** (Senior Center Construction Project - ARCO Construction Group & York Fence– \$20,000 split / ARCO Construction Group - \$24,424.68)
- R-11-2020-236** **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.** (portion of South Middlesex Ave. & Fitzgerald Ave.)
- R-11-2020-237** **RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948).** (Bullet Proof Vest Partnership - \$6,413.28)
- R-11-2020-238** **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND.** (\$17,500 – replacement of storm damaged Township/street trees)
- R-11-2020-239** **RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE PURCHASE OF A ZETRON MAX CALL 9-1-1 CALL SYSTEM UNDER NEW JERSEY STATE CONTRACT FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (\$1,738,363.07 - new 9-1-1 system, transfer to Middlesex County Radio System, and all required equipment)
- R-11-2020-240** **RESOLUTION AUTHORIZING BUDGET TRANSFERS.**
- R-11-2020-241** **RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT BY AND BETWEEN MATRIX CORPORATE CAMPUS CONDOMINIUM ASSOCIATION, INC. AND THE TOWNSHIP OF MONROE FOR WATER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT.**
- R-11-2020-242** **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH LOUIS RAINONE, ESQ. WITH THE FIRM RAINONE, COUGHLIN, MINCHELLO FOR 2020 GENERAL LEGAL SERVICES FOR THE TOWNSHIP OF MONROE.** (Additional \$56,000)
- R-11-2020-243** **RESOLUTION AUTHORIZING AWARD OF BID TO LANCHIA CONSTRUCTION CORP. FOR RENAISSANCE AT MONROE COMPLETION OF BONDED IMPROVEMENTS PROJECT.** (\$245,824.82 from Developers Cash Bond)
- R-11-2020-244** **RESOLUTION AUTHORIZING TO ENTER INTO CLOSED EXECUTIVE SESSION.** (Re: Zoning Board matter litigation)

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 4, 2020

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 29, 2020**.

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

3. **APPROVAL OF MINUTES:**

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

October 5, 2020 – Agenda/Regular Combined Meeting

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

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

O-10-2020-020 ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MONROE TO ADD NEW CHAPTER 80 ENTITLED “PROHIBITION OF SHORT-TERM RENTALS”. (not less than 30 days)

PUBLIC HEARING OPEN: MOTION: _____ SECOND: _____

PUBLIC HEARING CLOSE: MOTION: _____ SECOND: _____

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

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

O-11-2020-021 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE NON-EXCLUSIVE EASEMENTS OVER PROPERTY LOCATED AT BLOCK 56, LOTS 9.04, 87 AND 90. (Water service to Matrix Corporate Park in Monroe Twp., off of Stonaker Road)

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

6. **RESOLUTIONS** for **CONSIDERATION** under the **CONSENT AGENDA:**
(R-11-2020-221 – R-11-2020-243)

R-11-2020-221 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF OLD BRIDGE FOR THE PROVISION OF JOINT ANIMAL CONTROL SERVICES. (Emergency Coverage Services)

- R-11-2020-222** **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF OLD BRIDGE AND TOWNSHIP OF MONROE FOR ANIMAL SHELTER SERVICES.**
(unit pricing; January 1, 2021 – December 31, 2021)
- R-11-2020-223** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (2 Trucks and accessories - \$90,374.10)
- R-11-2020-224** **RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1114 MORNING GLORY DRIVE.**
- R-11-2020-225** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP CONSTRUCTION DEPARTMENT.** (2 SUVs - \$57,195.34)
- R-11-2020-226** **RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE.** (India US Forum of Monroe Township - \$350.00)
- R-11-2020-227** **RESOLUTION AUTHORIZING AMENDMENT #2 TO A PROFESSIONAL SERVICE CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL WELL 25 ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).** (Change of scope in services, no additional money)
- R-11-2020-228** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ITRON, INC. FOR SECTION “C” OF CONTRACT 492 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)** (unit pricing)
- R-11-2020-229** **RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-11-2020-230** **RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-11-2020-231** **RESOLUTION REGARDING EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS AND RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC OR REMOTE PUBLIC MEETINGS.** (new DCA/DLGS requirement)
- R-11-2020-232** **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2020 RENAISSANCE AT MONROE BOND IMPROVEMENTS.** (\$20,000 from Developers Cash Bond)
- R-11-2020-233** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR ROCKY BROOK ESTATES – SITE IMPROVEMENTS – PB-1041-07.**
(Disbrow Hill Rd)
- R-11-2020-234** **RESOLUTION AUTHORIZING TAX APPEAL STIPULATION OF SETTLEMENT FOR MONROE HOTEL INVESTMENT LLC BLOCK 55, LOT 9.5 FOR TAX YEAR 2020.** (390 Forsgate Drive)
- R-11-2020-235** **RESOLUTION AUTHORIZING THE RELEASE OF SETTLEMENT FUNDS FROM ESCROW IN CONNECTION WITH THE SENIOR CENTER CONSTRUCTION PROJECT**
(Senior Center Construction Project - ARCO Construction Group & York Fence– \$20,000 split / ARCO Construction Group - \$24,424.68)

13. Executive Session. (Following the executive session, there shall be no formal action taken.)

R-11-2020-244 RESOLUTION AUTHORIZING TO ENTER INTO CLOSED EXECUTIVE SESSION. (Re: Zoning Board matter litigation)

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

TIME: _____

CLOSE: TIME: _____

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

14. Adjournment. MOTION: _____ SECOND: _____

Time: _____

TOWNSHIP OF MONROE
COUNCIL MEETING MINUTES
MEETING OF THE MONROE TOWNSHIP COUNCIL – NOVEMBER 4, 2020

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

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

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

ALSO, PRESENT: Mayor Gerald W. Tamburro, Business Administrator Alan M. Weinberg, Township Attorney Lou Rainone, Engineer Mark Rasimowicz, Utility Director Joseph Stroin, Chief Michael Biennas and Deputy Township Clerk Christine Robbins.

There were approximately twenty-six (26) members of the Public who joined remotely.

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 January 2, 2020 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 3, 2020.
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.

Township Clerk Patricia Reid read the following entitled **ORDINANCES** for **SECOND READING** at the **WEDNESDAY, NOVEMBER 4, 2020** Regular Council Meeting:

O-10-2020-020 ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MONROE TO ADD NEW CHAPTER 80 ENTITLED “PROHIBITION OF SHORT-TERM RENTALS”. (not less than 30 days)

Township Clerk Patricia Reid read the following entitled **ORDINANCES** for **INTRODUCTION** at the **WEDNESDAY, NOVEMBER 4, 2020** Regular Council Meeting:

O-11-2020-021 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE NON-EXCLUSIVE EASEMENTS OVER PROPERTY LOCATED AT BLOCK 56, LOTS 9.04, 87 AND 90. (Water service to Matrix Corporate Park in Monroe Twp., off of Stonaker Road)

Council President Cohen read the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, NOVEMBER 4, 2020** Regular Council Meeting (R-11-2020-221 – R-11-2020-244):

R-11-2020-221 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF OLD BRIDGE FOR THE PROVISION OF JOINT ANIMAL CONTROL SERVICES. (Emergency Coverage Services)

R-11-2020-222 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF OLD BRIDGE AND TOWNSHIP OF MONROE FOR ANIMAL SHELTER SERVICES. (unit pricing; January 1, 2021 – December 31, 2021)

- R-11-2020-223** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (2 Trucks and accessories - \$90,374.10)
- R-11-2020-224** **RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1114 MORNING GLORY DRIVE.**
- R-11-2020-225** **RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP CONSTRUCTION DEPARTMENT.** (2 SUVs - \$57,195.34)
- R-11-2020-226** **RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE.** (India US Forum of Monroe Township - \$350.00)
- R-11-2020-227** **RESOLUTION AUTHORIZING AMENDMENT #2 TO A PROFESSIONAL SERVICE CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL WELL 25 ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
(Change of scope in services, no additional money)
- R-11-2020-228** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ITRON, INC. FOR SECTION “C” OF CONTRACT 492 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)** (unit pricing)
- R-11-2020-229** **RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-11-2020-230** **RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-11-2020-231** **RESOLUTION REGARDING EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS AND RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC OR REMOTE PUBLIC MEETINGS.** (new DCA/DLGS requirement)
- R-11-2020-232** **RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2020 RENAISSANCE AT MONROE BOND IMPROVEMENTS.** (\$20,000 from Developers Cash Bond)
- R-11-2020-233** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR ROCKY BROOK ESTATES – SITE IMPROVEMENTS – PB-1041-07.** (Disbrow Hill Rd)
- R-11-2020-234** **RESOLUTION AUTHORIZING TAX APPEAL STIPULATION OF SETTLEMENT FOR MONROE HOTEL INVESTMENT LLC BLOCK 55, LOT 9.5 FOR TAX YEAR 2020.** (390 Forsgate Drive)
- R-11-2020-235** **RESOLUTION AUTHORIZING THE RELEASE OF SETTLEMENT FUNDS FROM ESCROW IN CONNECTION WITH THE SENIOR CENTER CONSTRUCTION PROJECT**
(Senior Center Construction Project - ARCO Construction Group & York Fence— \$20,000 split / ARCO Construction Group - \$24,424.68)
- R-11-2020-236** **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.**
(portion of South Middlesex Ave. & Fitzgerald Ave.)
- R-11-2020-237** **RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948).**
(Bullet Proof Vest Partnership - \$6,413.28)

- R-11-2020-238** **RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND.** (\$17,500 – replacement of storm damaged Township/street trees)
- R-11-2020-239** **RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE PURCHASE OF A ZETRON MAX CALL 9-1-1 CALL SYSTEM UNDER NEW JERSEY STATE CONTRACT FOR THE MONROE TOWNSHIP POLICE DEPARTMENT.** (\$1,738,363.07 - new 9-1-1 system, transfer to Middlesex County Radio System, and all required equipment)
- R-11-2020-240** **RESOLUTION AUTHORIZING BUDGET TRANSFERS.**
- R-11-2020-241** **RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT BY AND BETWEEN MATRIX CORPORATE CAMPUS CONDOMINIUM ASSOCIATION, INC. AND THE TOWNSHIP OF MONROE FOR WATER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT.**
- R-11-2020-242** **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH LOUIS RAINONE, ESQ. WITH THE FIRM RAINONE, COUGHLIN, MINCHELLO FOR 2020 GENERAL LEGAL SERVICES FOR THE TOWNSHIP OF MONROE.** (Additional \$56,000)
- R-11-2020-243** **RESOLUTION AUTHORIZING AWARD OF BID TO LANCHIA CONSTRUCTION CORP. FOR RENAISSANCE AT MONROE COMPLETION OF BONDED IMPROVEMENTS PROJECT.** (\$245,824.82 from Developers Cash Bond)
- R-11-2020-244** **RESOLUTION AUTHORIZING TO ENTER INTO CLOSED EXECUTIVE SESSION.** (Re: Zoning Board matter litigation)

Councilman Dipierro asked that resolutions R-11-2020-238, R-11-2020-239 and R-11-2020-240 be removed from the agenda and considered separately.

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

PUBLIC COMMENTS:

Keith Madorma, 41 Cherry Blossom Dr. – Mr. Madorma expressed that the gun range that has opened up by his house is ruining the quality of life of the residents living in that area. He stated that all you hear are gun shots all day which can be heard even with his windows closed. Administrator Weinberg and Director Stroin stated that they will follow up with the Zoning Officer to address the concerns.

Paul Kaiser, 39 Cherry Blossom Dr. – Mr. Kaiser expressed his dismay with the gun range as well, stating that as he watches television, he can hear gun shots constantly. He added that it is very disruptive as he is working from home and there is a deficiency in the buffering of noise control. Council President Cohen stated that this issue will be looked into and will be addressed accordingly.

UPON MOTION made by Councilman Dalina 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 Dalina and seconded by Councilman Dipierro, the Agenda Meeting was Adjourned at 6:40pm.

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

UPON MOTION made by Councilman Baskin and seconded by Councilman Dipierro, the Regular Meeting was Called to Order at 6:40pm.

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

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the **CLAIMS** per run date of **10/29/2020** were approved for payment as written and 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

Councilman Baskin stated that he asked for a few corrections to be made to the minutes, to which Township Clerk Patricia Reid stated they were duly noted and the minutes were corrected.

UPON MOTION made by Councilman Baskin and seconded by Council Vice-President Schneider, the **MINUTES** of the **October 5, 2020 Agenda/Regular Combined Meeting** were approved as written and presented.

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

UPON ACTION made by the Council the following Ordinance(s) were **moved on SECOND READING for FINAL ADOPTION** as follows:

O-10-2020-020 ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MONROE TO ADD NEW CHAPTER 80 ENTITLED “PROHIBITION OF SHORT-TERM RENTALS”. (not less than 30 days)

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

SECTION 1. The Township Code of the Township of Monroe is hereby amended and supplemented to establish new Chapter 80 entitled “Prohibition of Short-Term Rentals” which shall read as follows:

Chapter 80

Prohibition of Short-Term Rentals

§ 80-1 Purpose and scope.

- A. The Township of Monroe is authorized to regulate buildings used for sleeping, lodging and occupancy for purposes including but not limited to boarding houses, rooming houses, rental housing or other living units pursuant to N.J.S.A. 40:52-9(d) and (n). In addition, N.J.S.A. 40:48-2.12a provides that the governing body of a municipality may make, amend and repeal and enforce ordinances to regulate buildings and structures and their use and occupation to and abate conditions therein harmful to the health and safety of the occupants of said buildings and structures and the general public in the municipality. This Chapter aims to preserve housing for long-term tenants and to minimize the potential deleterious effects of short-term rental properties on other properties in the surrounding residential neighborhoods in which they are located. The increasingly widespread practice of renting or leasing various types of dwellings, or segments thereof, located primarily in residential neighborhoods has been popularized and facilitated by various websites that advertise and broker these rentals. Left unaddressed, this practice has the potential to make it increasingly difficult for people to locate permanent housing and have an adverse effect on the health, safety and quiet enjoyment of the affected neighborhoods.
- B. This Chapter does not apply to lawfully established and operating hotels, motels, rooming houses, boardinghouses and bed-and-breakfast establishments/units.

§ 80-2 Definitions.

As used in this section, the following words shall mean:

“Advertise or Advertising” shall mean any form of solicitation, promotion or communication for marketing, used to induce, directly or indirectly, any person into contracting for services for the purpose of establishing occupancies or uses of residential property for which are prohibited by this Chapter.

“Bed and breakfast establishment” shall mean a lodging use where rooms within a single dwelling unit are provided to transients by a resident operator for a fee by prearrangement on a daily or short-term basis. A breakfast and/or light snacks may be served to those renting rooms in the bed and breakfast.

“Bed and breakfast unit” shall mean a room within a bed and breakfast that is offered or provided to a guest(s) by a bed and breakfast operator for a fee for fewer than thirty (30) consecutive nights.

“Consideration” shall mean any legally recognized form of consideration including a promise or benefit, a quid pro quo, rent fees, other form of payment or any other thing of value.

“Dwelling Unit” shall mean any room or group of rooms, whether furnished or unfurnished, intended, arranged or designed to be occupied, for living, sleeping, cooking, gathering and/or entertaining by one or more persons.

“Fee” shall mean remuneration or anything of economic value that is provided, promised, or donated primarily in exchange for services rendered.

“Housekeeping Unit” shall mean a family-type situation, involving one or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable decisions of the New Jersey Courts.

“Occupant” shall mean any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessor right(s) within a Dwelling Unit.

“Owner” shall mean any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, or executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement shall not be considered an owner.

“Person” shall mean any individual, firm, corporation, association, governmental entity, or partnership and its agents or assigns.

“Property” shall mean a parcel of real property located within the boundaries of the Township of Monroe, Middlesex County, New Jersey.

“Residential Property” shall mean all or any portion of any lot, tract or parcel of land on which is located one or more Dwelling Units, or which is zoned for residential uses.

§80-3 Short Term Rental of Dwelling Units and Residential Property Prohibited.

- A. Notwithstanding anything to the contrary contained in the Township Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person or entity with possessory right in a Dwelling Unit, their principals, partners or shareholders, or their agents, employees or representatives to receive or obtain actual or anticipated consideration for advertising, offering and/or permitting, allowing or suffering the use or occupancy of any Dwelling Unit or of any Residential Property, as defined herein, for a period of less than thirty (30) consecutive days.
- B. Nothing herein shall be deemed to prevent the otherwise lawful occupancy of a Dwelling Unit or a Residential Property for a rental period of more than thirty (30) days.
- C. The provisions of this Chapter shall not apply to hotels, motels, rooming houses, boardinghouses and bed-and-breakfast establishments/units otherwise permitted under other Chapters of the Township Code.

§ 80-4 Rentals of Amenities.

The lease or rental, for any purpose, of any amenity, feature, accessory, or appurtenance to or associated with a dwelling is prohibited.

§ 80-5 Permitted Uses.

The residential occupancy of an otherwise lawful and lawfully occupied Dwelling Unit for a period of thirty (30) days or less by any occupant who is a member of the Housekeeping Unit of the Owner, without consideration or a fee, is not prohibited by this Chapter.

§ 80-6 Advertising Prohibited.

It shall be unlawful to advertise, solicit or promote by any means, any action in violation of this Chapter.

§ 80-7 Enforcement, Violations and Penalties.

- A. The provisions of this Chapter may be enforced by the Construction Code Official, Fire Official, Health Department or Code Enforcement Officer.
- B. Every person convicted of a violation of a provision of this Chapter shall be subject to the maximum fines and penalties established by N.J.S.A. 40:69A-29, and subsequent amendments thereto.
- C. Each and every day a violation of this Chapter persists shall constitute a separate violation.
- D. To the extent the conduct prohibited under this article also violates other provisions of the Township Code, those violations constitute separate offenses subject to additional fines and penalties as prescribed.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication according to law.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dipierro, the **PUBLIC HEARING for Ordinance O-10-2020-020** was **opened**. All were in favor, none opposed

PUBLIC HEARING:

No Public Comment.

UPON MOTION made by Council Vice-President Schneider and seconded by Councilman Baskin, the **PUBLIC HEARING for Ordinance O-10-2020-020** was **closed**. All were in favor, none opposed.

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

**O-10-2020-020 ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF
MONROE TO ADD NEW CHAPTER 80 ENTITLED "PROHIBITION OF
SHORT-TERM RENTALS". (not less than 30 days)**

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-10-2020-020

WHEREAS, the Township of Old Bridge and Township of Monroe have each adopted resolution authorizing the execution of this shared services agreement (the “Agreement”); and

WHEREAS, the term of this Agreement is January 1, 2021 through December 31, 2021 with the cost of service being \$12,000.00 per year (\$1,000.00 per month) as an administrative fee and \$10.00 per day Daily Boarding Fee, \$12.00 per day Daily Boarding Fee (Quarantine), \$45.00 per day Daily Boarding Fee (vicious/potentially dangerous dog) and transportation to the Township of Monroe’s veterinarian at \$25.00 per occurrence; and

WHEREAS, pursuant to *N.J.A.C. 5:30-5.4*, the Certified Municipal Finance Officer has certified the availability of funds in Certificate No C-2000057, a copy of which is attached hereto as Exhibit “A”;

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

- (1) The Mayor and Township Clerk be and are hereby authorized to enter into a Shared Services Agreement with the Township of Old Bridge, 1 Old Bridge Plaza, Old Bridge, New Jersey 08857 in accordance with the Agreement attached hereto as Exhibit “A”, effective January 1, 2021 through December 31, 2021;
- (2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by the Township of Old Bridge in the amounts outlined within the Agreement.
- (3) This Agreement is entered into without competitive bidding as a shared service in accordance with N.J.S.A. 40A:65-4 of the Uniform Shared Services Act;
- (4) A certified copy of this Resolution and Agreement shall be forwarded to the Director of the Division of Local Government Services;
- (5) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

R-11-2020-223 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (2 Trucks and accessories - \$90,374.10)

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

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase two (2) police vehicles from *Mall Chevrolet, 75 Haddonfield Rd. Cherry Hill, NJ 08002*, an authorized vendor under the Educational Services Commission of NJ ESC Co-op #65MCESCCPS - ESCNJ 20/21-09, for the Monroe Township Police Department as hereinbelow set forth:

WHEREAS, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
1	2021 Chevy Silverado 1500 SSV Crew-Short and accessories	\$39,124.68
1	2021 Chevy Silverado 1500 SSV Crew-Short and accessories	\$37,324.68
TOTAL COST:		\$76,449.36; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000058, a copy of which are attached hereto as Exhibit "A"; and

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase *emergency lights* to outfit two (2) new vehicles from *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535*, an authorized vendor under the State of New Jersey Cooperative Purchasing Program, NJ State Contract No. 17-FLEET-00761, for the Monroe Township Police Department as hereinbelow set forth:

1	2021 Chevy Silverado 1500 SSV Crew-Short	\$7,512.40
1	2021 Chevy Silverado 1500 SSV Crew-Short	\$5,977.34
TOTAL COST:		\$13,489.74; and

WHEREAS, the detailed accessories for each vehicle are attached hereto and made a part of; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000059, copies of which are attached hereto as Exhibit "B"; and

WHEREAS, the Township of Monroe, in the County of Middlesex, wishes to purchase *black and white graphics and lettering* to outfit one (1) of the new vehicles from *Cranbury Customs, 566 Hwy Route 33 Mercerville, N.J. 08619*, for the Monroe Township Police Department as hereinbelow set forth:

1	2021 Chevy Silverado 1500 SSV Crew-Short	\$435.00
	TOTAL COST:	\$435.00; and

WHEREAS, the detailed quote is attached and hereto made a part of; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-2000060, copies of which are attached hereto as Exhibit "C"; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Monroe that *Mall Chevrolet, 75 Haddonfield Rd. Cherry Hill, NJ 08002* is hereby awarded a contract for the purchase of *one (2) 2021 Chevy Silverado 1500 SSV Crew-Short and accessories* at a total contract price of **\$76,449.36**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *East Coast Emergency Lighting, 200 Meco Drive, Millstone Township, NJ 08535* is hereby awarded a contract for the purchase of *emergency lights* to outfit two (2) new Police vehicles at a total contract price of **\$13,489.74**.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Monroe that *Cranbury Customs, 566 Hwy Route 33 Mercerville, N.J. 08619* is hereby awarded a contract for the purchase of *black and white graphics and lettering* to outfit one (1) of the new Police Vehicles at a total contract price of **\$435.00**.

SO RESOLVED, as aforesaid.

R-11-2020-224 RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON 1114 MORNING GLORY DRIVE.

WHEREAS, on July 6, 2015, Kristie Ciaston ("Ciaston") gave a recapture mortgage in accordance with the State's Affordable Housing Program, to the Township of Monroe requiring Ciaston to pay the sum of \$78,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1114 Morning Glory Drive, (the "Property") as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on July 23, 2015, in Mortgage Book 16062 on Page 751 *et seq.* (the "Ciaston Affordable Housing Lien"); a copy of said mortgage is attached as Exhibit "A"; and

WHEREAS, on September 3, 2020, Ciaston sold the Property to Miriam Doria, ("Doria"); Ciaston executed a deed in the mandatory form required for ownership units subject to restrictive covenant required by N.J.A.C. 5:80-26.5(d) transferring title to the Property to Doria for the sum of \$90,000.00, said deed having been recorded with the Middlesex County Clerk on September 22, 2020 in Deed Book 18039, pages 704-711 *et seq.*; a copy of said deed is attached as Exhibit "B"; and

WHEREAS, on September 16, 2020, Doria gave a recapture mortgage in accordance with the State's Affordable Housing Program to the Township of Monroe requiring Doria to pay the sum of \$56,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 1114 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 September 22, 2020, in Mortgage Book 18039 in Pages 732-737 *et seq.*; a copy of said mortgage is attached as Exhibit "C"; and

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

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

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

SO RESOLVED, as aforesaid.

R-11-2020-225 RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES AND ACCESSORIES USING THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP CONSTRUCTION DEPARTMENT. (2 SUVs - \$57,195.34)

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

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase two (2) construction vehicles under the Educational Services Commission of NJ ESC Co-op #65MCESCCPS - ESCNJ 20/21-09, from *Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960*, an authorized vendor under the ESCNJ Co-op; and

WHEREAS, the details are as follows:

<u>Quantity</u>	<u>Vehicle</u>	<u>Price</u>
2	2021 Ford Explorer (K8B) Base 4WD	\$28,597.67
TOTAL COST:		\$57,195.34; and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-200061, a copy of which are attached hereto as Exhibit "A"; and

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 *Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960* for the purchase of *two (2) 2021 Ford Explorer (K8B) Base 4WD* at a total contract price in the amount of **\$57,195.34;**

SO RESOLVED, as aforesaid.

R-11-2020-226 RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE. (India US Forum of Monroe Township - \$350.00)

WHEREAS, the Special Event Coordinator, by copy of a letters dated October 14, 2020 and October 15, 2020, copies of which are attached hereto as Exhibit "A", has recommended the Council approve the following Senior Center rental fee refunds:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
India US Forum of Monroe Township c/o Hemant Patel 15 Eldorado Way Monroe Twp., NJ 08831	Event Cancelled due to COVID-19	\$350.00

WHEREAS, Council has reviewed the recommendation of the Special Event Coordinator 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 **India US Forum of Monroe Township in the amount of \$350.00.**

SO RESOLVED, as aforesaid.

R-11-2020-227 RESOLUTION AUTHORIZING AMENDMENT #2 TO A PROFESSIONAL SERVICE CONTRACT WITH H2M ASSOCIATES, INC. FOR ADDITIONAL WELL 25 ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D."). (Change of scope in services, no additional money)

WHEREAS, after considerable analysis and review, the Monroe Township Utility Department ("M.T.U.D.") has determined that is necessary to modify its existing contract with H2M Associates, Inc., retiring old tasks and adding new, for its drilled Well No. 25; and

WHEREAS, H2M Associates, Inc. was awarded a contract January 4, 2017 in the amount of \$282,200.00 (Two Hundred Eighty-two Thousand Two Hundred Dollars), to perform the required tasks outlined in the initial proposal for the Utility Department; and

WHEREAS, and on August 7, 2017, H2M Associates, Inc. was awarded Amendment #1 to perform additional aforementioned professional engineering services to the original professional service contract for additional work in the amount of \$46,100.00 (Forty-Six Thousand One Hundred Dollars), a copy of which is attached as Exhibit "B"; and

WHEREAS, additional professional engineering services are required by the M.T.U.D. to facilitate changes for finalization to the permit documents, administering bid and construction phase, and other services as spelled out in their proposal which were not included in, or have changed from the original scope of services in the initial agreement by the Monroe Township Utility Department; and

WHEREAS, and on September 15, 2020, H2M Associates, Inc. submitted a proposal in the amount of \$33,000.00 to perform additional required professional engineering services, a copy of which is attached as Exhibit "B"; and

WHEREAS, M.T.U.D. Director, has recommended that the Council approve Amendment No. 2 to the contract award to H2M Associates, Inc and

WHEREAS, it is proposed to retire any services with a balance (totaling \$54,016.00) shall be moved to fund new tasks contained in the September 15th proposal, the balance remaining of \$21,016.00 to be used for any subsequent project related needs, at the discretion of the M.T.U.D. Director for a net contract value change of zero (000.00) with the total contract amount remaining \$328,300.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township's Chief Finance Officer has certified availability of funds in Certificate No. M-170001, a copy of which is attached hereto as Exhibit "A",

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

- (1) The Mayor and Township Clerk are hereby authorized to enter into a contract modification with H2M Associates, Inc. for additional work, as outlined within the July 14, 2017 proposal letter attached hereto as Exhibit "B";
- (2) The Township's Chief Finance Officer is hereby authorized and directed to pay invoices for additional services rendered by H2M Associates, Inc. in accordance with the attached proposal;
- (3) The contract modification is awarded without competitive bidding through a fair and open RFQ 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) A notice of this action shall be printed once in the Home News Tribune.

SO RESOLVED, as aforesaid.

R-11-2020-228 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO ITRON, INC. FOR SECTION "C" OF CONTRACT 492 "WATER METERS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") (unit pricing)

WHEREAS, on September 15, 2020 at 11:00 AM, two (2) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 492, "Water Meters", required by the M.T.U.D.; and

WHEREAS, Itron, Inc. has submitted their bid, with exceptions for Section C of the bid for ERTs, and after review is considered the lowest responsible and responsive bid for Section C; and

WHEREAS, the Purchasing Agent of the M.T.U.D. by copy of a letter dated October 19, 2020, has recommended that, subject to a positive review from the township attorney, a contract be awarded to Itron, Inc. of Liberty Lake, Washington, based on unit pricing and estimated quantities (estimated contract total \$168,434.90), for section C, a copy of which is attached as exhibit B; 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-200015 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; and

WHEREAS, Itron, Inc. has submitted all the required documents with their bid; 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 twelve (1) month contract Itron, Inc. in accordance with their submitted bid submitted for section C;
- (2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Itron, Inc. in accordance with their bid;
- (3) The contracts are awarded through the competitive bidding process as a fair and open contract in accordance with the Local Public Contracts Law;
- (4) This contract is awarded with the stipulation that Itron, Inc. shall provide a properly executed certificate of insurance as required by the specifications.

SO RESOLVED, as aforesaid.

R-11-2020-229 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 Sixty-One Thousand One Hundred Twenty-Two dollars and Thirteen cents (\$61,122.13) 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-11-2020-230 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 One-Hundred Forty-Six Thousand dollars and no cents (\$146,000.00),

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-11-2020-231 RESOLUTION REGARDING EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS AND RULES OF DECORUM FOR PUBLIC PARTICIPATION AT ALL PUBLIC OR REMOTE PUBLIC MEETINGS. (new DCA/DLGS requirement)

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

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

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

WHEREAS, if during a declared emergency the Township of Monroe holds a physical meeting in a location where, pursuant to State/Federal guidelines necessitate capacity restrictions reducing the number of individuals that can be present in a meeting, the Township Council shall determine to either:

- 1) Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public; or
- 2) Hold the public meeting as both an in-person and a remote public meeting; and

WHEREAS, no in person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

WHEREAS, a public meeting held in person shall not prohibit members of the public from attending in person; and

WHEREAS, pursuant to N.J.A.C 5:39-1 if the Township of Monroe holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall at minimum, not be limited to fewer than 50 public participants, beyond those persons required to conduct business at the meeting; and

WHEREAS, remote public meetings may be held by the Township of Monroe in a format as selected by the governing body, by means including but not limited to, audio-only teleconferencing, video and audio or live streaming via the internet and shall additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

WHEREAS, when the Township of Monroe holds a remote public meeting they shall allow members of the public to make public comment by audio or by audio and video if the meeting is being held over both; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by video as well as audio and all individuals giving sworn testimony shall appear by video in addition to audio; and

WHEREAS, any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made visible on a video broadcast of the remote public meeting or made available on the internet website of the Township of Monroe; and

WHEREAS, in addition to making public comments at any remote public meeting, the Township Council, in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by a reasonable deadline as shall be established and posted on the website in advance of the remote public meeting; and

WHEREAS, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

WHEREAS, a reasonable time limit on public comments shall be placed on the reading of written comments, which shall be read from beginning until the time limit is reached; and

WHEREAS, the electronic communications used for a remote public meeting shall have a function that allows the Township of Monroe to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the OPMA requirements of N.J.S.A. 10: 4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website in the manner as set forth at N.J.A.C. 5:39-1.5; and

WHEREAS, at the commencement of a remote public meeting the Council President, shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting the Township Council shall make a copy of the agenda available to the public for download on the website as well as posting at the building where the meeting would otherwise be held prior to the commencement of the remote meeting, including posting at any designated and clearly delineated handicap access entrance to the building; and

WHEREAS, in support of and respect for an open, fair and informed decision-making process, the Township Council recognize that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Township Council decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

WHEREAS, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Council President shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

WHEREAS, if time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting; and

WHEREAS, the content of the electronic notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Monroe that the standards and procedures for emergency remote meeting protocol as set forth in this resolution and as codified at N.J.A.C. 5:39-1 et seq. are hereby established.

BE IT FURTHER RESOLVED THAT procedures and requirements for public participation are hereby established in order to safeguard public participation in any public or remote public meetings in the Township of Monroe and shall apply to all members of the public in attendance at any public or remote public meeting that is open to the public in the Township of Monroe.

SO RESOLVED, as aforesaid.

R-11-2020-232 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH 2020 RENAISSANCE AT MONROE BOND IMPROVEMENTS. (\$20,000 from Developers Cash Bond)

WHEREAS, the Township of Monroe seeks professional engineering services in connection with the 2020 Renaissance at Monroe bond improvements; and

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

WHEREAS, the fees for such services will not exceed twenty thousand dollars (**\$20,000.00**); and

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in Purchase Order No. 2018347, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the funds certified above shall be payable through the Renaissance at Monroe (PB-773-02) cash performance bond held by the Township; 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 professional engineering, surveying and planning services in connection with 2020 Renaissance at Monroe bond improvement project in an amount not to exceed twenty thousand dollars (**\$20,000.00**);
- (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-11-2020-233 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF A MAINTENANCE GUARANTEE POSTED FOR ROCKY BROOK ESTATES – SITE IMPROVEMENTS – PB-1041-07. (Disbrow Hill Rd)

WHEREAS, Pulte Homes of NJ, Limited Partnership has posted Performance Guarantees for the Rocky Brook Estates Site Improvements project (PB-1041-07); 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, 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 Rocky Brook Estates Site Improvements project (PB-1041-07), be released as reflected in the Township Engineer's letter dated October 20, 2020, attached hereto. This approval for release of the Performance Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$356,956.85**. 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 in lieu of this, the Township Engineer's office feels that the funds currently being held in escrow with the Township will be sufficient.

SO RESOLVED, as aforesaid.

R-11-2020-234 RESOLUTION AUTHORIZING TAX APPEAL STIPULATION OF SETTLEMENT FOR MONROE HOTEL INVESTMENT LLC BLOCK 55, LOT 9.5 FOR TAX YEAR 2020. (390 Forsgate Drive)

WHEREAS, Monroe Hotel Investment LLC is the owner of certain property located and identified on the tax maps of Monroe Township as Block 55, Lot 9.5, also known as 390 Forsgate Drive; and

WHEREAS, Monroe Hotel Investment LLC filed an appeal to the Tax Court of New Jersey for said premises for the 2020 tax year; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, the parties have agreed that the assessment of the aforesaid property be adjusted and a judgment entered as follows:

Block: 55
 Lot: 9.5
 Street Address: 390 Forsgate Drive
 Year: 2020

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$7,500,000	Direct	\$7,500,000
Improvements	<u>\$9,408,600</u>	Appeal	<u>\$3,500,0000</u>
Total	\$16,908,600		\$11,000,000

WHEREAS, both parties have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation; and

WHEREAS, the Assessor of the taxing district has been consulted by the Attorney for the taxing district with respect to this settlement and has concurred; and

WHEREAS, based upon the foregoing, both parties will represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law; and

WHEREAS, statutory interest, pursuant to *N.J.S.A. 54:3-27.2*, having been waived by the taxpayer, shall not be paid provided the tax refund is paid within sixty (60) days from the issuance of a judgment; and

WHEREAS, provided there is no material physical change to the property before December 31, 2021, the parties agree that the property's 2021 assessment shall be \$10,000,000. and further agree that the Property will be subject to an added assessment upon completion of the renovations to the improvements thereon in the normal course. Either party shall have the right to file a tax appeal for the 2021 tax year to obtain a judgment to implement, enforce and/or confirm the assessment agreed upon; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the settlement in this matter, as set forth herein above, be and is hereby approved, and the Township Attorney is authorized and directed to affect said settlement.

SO RESOLVED, as aforesaid.

R-11-2020-235 RESOLUTION AUTHORIZING THE RELEASE OF SETTLEMENT FUNDS FROM ESCROW IN CONNECTION WITH THE SENIOR CENTER CONSTRUCTION PROJECT

(Senior Center Construction Project - ARCO Construction Group & York Fence—\$20,000 split / ARCO Construction Group - \$24,424.68)

WHEREAS, ARCO Construction Group (“ARCO”) and the Township of Monroe (“Monroe”) are parties to a construction contract wherein ARCO agreed to complete construction of a new Senior Center by May 12, 2012 (the “Contract”); and

WHEREAS, substantial completion of the new Senior Center was delayed by four hundred and ten (410) days after the original Contract completion date; and

WHEREAS, ARCO and Monroe disputed the cause for delay in completing the new Senior Center by the Contract completion date; and

WHEREAS, on July 7, 2014, the Township Council of the Township of Monroe passed resolution 7-2014-201 approving a settlement agreement (the “Settlement Agreement”) reached between Monroe and Arco a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, Section 3 of the Settlement Agreement provides that Monroe shall make final payment directly to ARCO’s subcontractors and suppliers from the retainage funds; and

WHEREAS, on or about August 21, 2020 ARCO’s counsel sent a letter wherein ARCO provided the Final Release, Waiver of Liens and Claims and Affidavit of Payment of Debts, from York Fence, a subcontractor of ARCO, conditioned upon a final payment of joint check, payable to York Fence and ARCO in the amount of \$20,000; and

WHEREAS, after the payment to York Fence there will remain a balance of settlement funds in the amount of \$24,424.68 held by the escrow agent, Shain Schaffer PC; and

WHEREAS, ARCO represents that the remaining subcontractor/suppliers are unable or unwilling to furnish a release, but the related claims accrued over nine years ago, and all relevant statute of limitations have lapsed, resulting in minimum risk for Monroe's exposure to claims of such subcontractors and suppliers; and

WHEREAS, Section 4 of the Settlement Agreement provides that in the event any subcontractor/supplier is unwilling to furnish a release and/or waiver, Monroe reserves the right to withhold retainage in the amount of any unresolved claim not released and waived until the lapse of 60 days from Monroe's passage of a resolution authorizing payment of the retainage without an action to enforce a lien against any unpaid amount(s) having been filed; and

WHEREAS, Section 4 of the Settlement Agreement further provides that ARCO will defend and indemnify Monroe against any claims resulting from release of the settlement funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that that the Township Council hereby authorizes and directs Shain Schaffer PC, the escrow agent, to make payment in the amount of \$20,000.00 by way of a joint check to Arco Construction Company and York Fence in accordance with the terms of the Settlement Agreement; and

BE IT FURTHER RESOLVED, that the Township Council authorizes and directs Shain Schaffer PC, the escrow agent, to pay the remaining amount of \$24,424.68 to ARCO after the lapse of 60 days from Monroe's passage of the instant resolution without an action to enforce a lien against any unpaid amount(s) having been filed.

SO RESOLVED, as aforesaid.

R-11-2020-236 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.
(portion of South Middlesex Ave. & Fitzgerald Ave.)

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 approved 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; 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-2021-South Middlesex Industrial Park Roadway Improvements-00027 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-11-2020-237 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948).
(Bullet Proof Vest Partnership - \$6,413.28)

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2020 in the sum of \$6,413.28, which is now available as a revenue from the Bullet Proof Vest Partnership;

BE IT FURTHER RESOLVED that a like sum of \$6,413.28 is hereby appropriated under the caption:

“BULLET PROOF VEST PARTNERSHIP”

SO RESOLVED, as aforesaid.

R-11-2020-241 RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT BY AND BETWEEN MATRIX CORPORATE CAMPUS CONDOMINIUM ASSOCIATION, INC. AND THE TOWNSHIP OF MONROE FOR WATER SERVICES FROM THE MONROE TOWNSHIP UTILITY DEPARTMENT.

WHEREAS, Matrix Corporate Campus Condominium Association, Inc. (the “Developer”) is the owner of property identified as Block 56, Lot 9.04 (formerly Lots 7.01, 9.011 and 17), on the Township of Monroe Tax Map (the “Property”), which includes the common space for a condominium office park identified as the Matrix Corporate Campus, and on which multiple buildings have been developed in condominium units (the “Project”); and

WHEREAS, the Developer seeks to obtain water services for the Project from the Township as more particularly described in a Developer’s Agreement in a form substantially similar to the form attached hereto as Attachment A; and

WHEREAS, the Developer acknowledges that the Township would be providing water services solely to the Property in the Township of Monroe and would not be providing water services for property adjacent to the Property located in the Township of Cranbury; and

WHEREAS, after analysis and review, MTUD has determined it is in the Township’s best interest to enter into a Developer’s Agreement in a form substantially similar to the form attached hereto in order to provide the Project with water service; and

WHEREAS, the Township Attorney has reviewed the aforementioned Developer’s Agreement and agreed that it is in the best interests of the Township to enter into the Developer’s Agreement; and

WHEREAS, execution of the attached Developer’s Agreement in a form substantially similar to the form attached hereto is in the best interests of the Township of Monroe; and

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

SO RESOLVED, as aforesaid.

R-11-2020-242 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT WITH LOUIS RAINONE, ESQ. WITH THE FIRM RAINONE, COUGHLIN, MINCHELLO FOR 2020 GENERAL LEGAL SERVICES FOR THE TOWNSHIP OF MONROE. (Additional \$56,000)

WHEREAS, pursuant to Resolution No. R-1-2020-022, adopted by the Monroe Township Council at its meeting held on January 8, 2020, authorizing a Professional Service Contract with Louis Rainone Esq and Rainone, Coughlin, Minchello for General Legal Services required by the Township of Monroe for calendar year 2020; and

WHEREAS, the Professional Service contract for 2020 General Legal Services was in the original amount of \$286,500.00; and

WHEREAS, Louis Rainone Esq and Rainone, Coughlin, Minchello has incurred legal fees in excess of the budgeted amount and has requested authorization for an additional \$56,000.00; and

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

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds in Certificate No. **C-2000006**, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey authorization is hereby given to modify said contract in the amount of Fifty Six Thousand Dollars (\$56,000.00) and the Mayor and Township Clerk are hereby authorized to sign the first amendment to the agreement attached hereto.

SO RESOLVED, as aforesaid.

R-11-2020-243 RESOLUTION AUTHORIZING AWARD OF BID TO LANCHA CONSTRUCTION CORP. FOR RENAISSANCE AT MONROE COMPLETION OF BONDED IMPROVEMENTS PROJECT.
(\$245,824.82 from Developers Cash Bond)

WHEREAS, on October 28, 2020, seven (7) sealed bids were received by Monroe Township regarding the **Renaissance at Monroe Completion of Bonded Improvements Project**; and

WHEREAS, the Township Engineer, by copy of letter dated October 29, 2020, has recommended **Lancha Construction, 29 Wood Avenue, Edison, NJ 07065**, be awarded the base and alternate number 1 bid based upon their bid submission in the amount of **\$245,824.82**; and

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

WHEREAS, the Certified Municipal Finance Officer has certified the availability of funds for such an engagement in **Purchase Order No. 2018348**, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the funds certified above shall be payable through the Renaissance at Monroe (PB-773-02) cash performance bond held by the Township; 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 **Lancha Construction** for the **Renaissance at Monroe Completion of Bonded Improvements Project** at a total contract price of **\$245,824.82**; and

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

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

BE IT FURTHER RESOLVED that the contract is awarded with the stipulation that **Lancha Construction** 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.

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

UPON MOTION made by Councilman Baskin and seconded by Council Dipierro, the following Resolution was moved for Adoption and considered separately:

R-11-2020-238 RESOLUTION AUTHORIZING EXPENDITURE FROM THE TREE ESCROW FUND. (\$17,500 – replacement of storm damaged Township/street trees)

WHEREAS, by Ordinance No. O-9-98-039, repealed and replaced by Ordinance No. O-6-2001-026 (the “Tree Removal Ordinance”), a Tree Escrow Fund (“Fund”) has been created to hold and disburse fees paid in lieu of tree replanting by developers or property owners removing trees; and

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

WHEREAS, the Council believes that purpose is served by planting and maintaining trees on public property including pruning/removal where appropriate, educating and informing the public on the importance of trees and forests and their importance to a clean and healthy environment and to fund community forestry projects designed by the Shade Tree Commission under The New Jersey Shade Tree and Community Forestry Program; and

WHEREAS, in correspondence dated October 15, 2020, attached hereto, the Shade Tree Commission has recommended the replacement of a significant number of storm damaged trees and requested an expenditure of \$45,000 from the “Fund” to accomplish this; and

WHEREAS, in correspondence dated October 21, 2020, attached hereto, the Budget Manager stated Down to Earth Landscaping, the tree planting contract awardee, has a balance of \$27,520.00 therefore only an expenditure of \$17,500 would be needed from the “Fund” to satisfy the recommendation of the Shade Tree Commission; and

WHEREAS, the Township Council believes that the cost of the replacement of these storm damaged trees are properly payable from the Tree Escrow Fund; and

WHEREAS, the Certified Municipal Finance Officer has certified in Certificate No. C-1900072, a copy of which is attached, that sufficient funds are available within the Tree Escrow Fund.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Monroe authorizes the expenditure of not more than \$17,500.00 for the replacement of a significant number of storm damaged trees throughout the Township, from the Tree Escrow Fund;

BE IT FURTHER RESOLVED that the Certified Municipal Finance Officer is hereby authorized and directed to pay Down to Earth Landscaping LLC., 705 Wright Debow Rd Jackson, N.J. 08527, in accordance with their invoices and the foregoing authorization, if, as, and when presented, from the Tree Escrow Fund.

SO RESOLVED, as aforesaid.

R-11-2020-239 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE PURCHASE OF A ZETRON MAX CALL 9-1-1 CALL SYSTEM UNDER NEW JERSEY STATE CONTRACT FOR THE MONROE TOWNSHIP POLICE DEPARTMENT. (\$1,738,363.07 new 9-1-1 system, transfer to Middlesex County Radio System, and all required equipment)

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase a Zetron Max Call 9-1-1 Call System under the NJ State Contract No. A83924 from *Tactical Public Safety* an authorized vendor under the NJ State Contract; and

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

WHEREAS, the Quotation received for the first part of the system, attached hereto, is for the phone equipment, licenses, software, etc. using Zetron Max Call 9-1-1 Call-Taking for the purchase price of one hundred ninety-five thousand three hundred and sixty-eight dollars and fifteen cents (**\$195,368.15**); and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in **Certificate No. C-2000062**, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township of Monroe, County of Middlesex, has the need to purchase the Harris Corp. Equipment under the NJ State Contract No. A83932 from *Tactical Public Safety* an authorized vendor under the NJ State Contract; and

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

WHEREAS, the Quotation received for the second part of the system, attached hereto, is for the Harris Corp. Equipment, which is needed to tie our 911 Call System into Middlesex County's 911 Call System, for the purchase price of one million five hundred forty-two thousand nine hundred ninety four dollars and ninety two cents (**\$1,542,994.92**); and

WHEREAS, the Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in **Certificate No. C-2000063**, 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, in the County of Middlesex, State of New Jersey, hereby authorizes a contract be entered into with **Tactical Public Safety, 199 Edgewood Ave., Suite A, West Berlin, NJ 08901** for the purchase of a Zetron Max Call 9-1-1 Call System along with the Harris Corp. Equipment and its respective warranties, at a total contract price in the amount of **\$1,738,363.07**, nunc pro tunc.

SO RESOLVED, as aforesaid.

R-11-2020-240 RESOLUTION AUTHORIZING BUDGET TRANSFERS.

WHEREAS, there are certain 2020 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 2020 accounts:

<u>CURRENT FUND TRANSFER FROM</u>	<u>TRANSFER AMOUNT</u>
RECREATION	
Other Expenses	\$ 16,000.00
TOTAL CURRENT FUND:	\$16,000.00
<u>TRANSFER TO:</u>	<u>AMOUNT</u>
SHADE TREE COMMISSION	
Other Expenses	\$ 16,000.00
TOTAL CURRENT FUND:	\$16,000.00

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

Copy of Resolutions Duly Filed.

REPORTS:

Mayor's Report – Mayor Tamburro extended a special thanks to Township Clerk Patricia Reid and her staff for an extraordinary job handling the election. He stated that this election was like no other with a change in the system and additional training needed for all. He also extended thanks to Library Director Leah Wagner and her staff for not only hosting the ballot collection box outside of their building but also accommodating the Voter Information Center. Mayor Tamburro also congratulated all of the candidates who won their elections for the Board of Education, State and County; he added that regardless of the outcome, he appreciates all who ran and was very pleased to see everyone exercising their right to vote by show of the record turnout of voters.

Mayor Tamburro highlighted the Township's quest to continue to save money and noted the shared service agreement with Middlesex County on tonight's agenda for use of their 911 System. He also stated that the new body cameras are in and are expected to begin being used sometime this month.

Lastly, Mayor Tamburro reminded everyone that we are still in the midst of a national pandemic which we have been battling for over 8 months now. He noted that the cases are rising in every age group and the virus continues to ravage the long-term care facilities. He added that last week, the Township had 34 positive cases and this week we have 33, adding that there is a concerning emergence in positive cases throughout the Township. He reminded everyone to please continue wearing masks and socially distance and urged all to adhere to the CDC and NJDOH guidelines limiting Thanksgiving gatherings. In wrapping up, Mayor Tamburro thanked the employees and residents for doing their part to combat this virus.

Administrator's Report – Administrator Weinberg echoed the Mayor's report in regards to the increase in positive Covid cases nationally and locally within the Township. He added that the weekly Nixle alerts show the increase in cases and internally we have had a few reported cases within the DPW and Library. He noted that all of the employees have been great in adjusting to the roll out of new things to focus on the continuity of government and continue to work together to be transparent through this.

Extended a special thanks to the Utility Department as there was a sewer main break in the area of Ashmall and Tyndale Avenues; they worked through the night to temporarily fix that issue and it is much appreciated.

Very pleased to see how successful the Halloween Trick or Treat drive-by event was; extended thanks to all of the departments who participated and noted that it was a win-win idea for everyone involved in trying to figure out a safe way to celebrate this holiday.

Extended a special thanks to the Clerk's Office for their hard work throughout the election.

Administrator Weinberg explained that we approved at tonight's meeting a shared services agreement with Middlesex County to utilize their radio system and in doing this it is believed we will have not only better coverage but it is a more affordable option for the Township.

Updated everyone on the BFI Landfill issue and noted that meetings have been ongoing and it is expected that a second public meeting discussing the results of the investigation and status will occur sometime later this month.

Engineer's Report – Engineer Rasimowicz gave an update regarding the Stonebridge/Lennar punch list issue and stated that Lennar has stepped up and has been working on all phases of the punch list items, including working with several different crews that handle concrete, storm drainage and trees.

Reported that the Renaissance at 33 completion of bonded improvements project was awarded tonight, and is expected to get started by the end of the month. He noted that this project includes drainage and pavement repairs.

Briefly updated the progress of the Matchaponix and Spotswood Gravel Hill Road traffic signal project, stating that all is going well but there is a delay in shipment of copper wiring needed for Verizon to finish their portion. Engineer Rasimowicz also noted that there are several traffic signal items on back order, but the project continues to move forward with the paving anticipated to be done before the cold weather settles in.

Noted that K Hovnanian has started road repairs.

Lastly, reported that the 2020 Roadway Improvement Project has begun with milling which has started this week and the paving will follow after. Engineer Rasimowicz noted that they will be working their way through all 13 streets being improved.

COUNCIL REPORTS:

Council Vice-President Schneider –

- Extended thanks to all who participated in the Fall Harvest Food Drive. There was over 11,214lbs of food collected and shared between the Township's food pantry and the Middlesex County food pantry. She thanked everyone for their generosity and added that a \$1,000 monetary donation was also collected.
- Stated that in regards to resolution R-11-2020-241, she is happy to see the agreement between Matrix and Rossmoor has been resolved.

- Mentioned that the India US Forum is interested in educating everyone on the importance of planting native flora within the Township to invite the necessary species of insects, birds and animals in the area as the decrease of these populations are concerning. They will be handing out seeds for residents to plant starting on November 7th with more information available on their website.
- Received a phone call from a resident that stated when leaving the East Gate in Rossmoor and entering onto Applegarth Road there are potholes. Engineer Rasimowicz stated that he has not received any complaints but will take a look at the issue and contact the County Engineer as needed.
- Lastly, drove around on Halloween and was very pleased to see the phenomenal turnout of residents and children.

Councilman Dalina –

- Thanked the Clerk's Office for an outstanding job for their work on the election given the circumstances we are living in. He noted that the election was handled with flying colors and extended thanks and appreciation to the entire staff. He also thanked all of the candidates for participating and noted that participation is always the key and is much appreciated.
- The Recreation Advisory Board has discussed with Administration an issue regarding non-residents using the Township fields. They have discussed various recourses to help our Police Department when going out to address the issue and hopes to have this resolved soon.
- Thanked all of the departments involved in making the drive-by Halloween Trick or Treat event a huge success, noting that it was great to have a bit of normalcy return back during this pandemic.
- Wished everyone a very happy and safe Thanksgiving.

Councilman Baskin –

- Reported that he has received calls from residents concerned with the DPW yard being closed and asking if their scheduled bulk pickups will still be picked up; Councilman Baskin noted that he hopes that these concerns have been addressed and the issues have been resolved. Also received a phone call from a resident concerned with the Library being closed; also hoping that this concern has been addressed and issue has been resolved.
- Asked Engineer Rasimowicz if Lennar is going to plant trees to replace what they cut down; Engineer Rasimowicz answered yes, they will be replaced.
- As the liaison to the Historical Preservation Commission, Councilman Baskin called attention to the Dey Farm tour videos which have been posted on the Township website. Also noted that the Shade Tree Commission has discussed the seed project and their interest in handing out seeds to the community to plant.

Councilman Dipierro –

- Noted that it was great to see everyone and echoed the sentiments given to the Clerk's Office for their hard work during the election. Also thanked the DPW, Police Department and all involved for making this election a smooth one for the residents. Extended congratulations to all of the Board of Education, County and State winners and extended thanks to all of the candidates for putting their best foot forward.
- Stated that he appreciates the transparency given to the residents with the newly rolled out Police Facebook page but still believes that a police blotter should happen.
- Asked if there was any progress on the ADA park which was discussed at the last meeting; Administrator Weinberg answered that the Township is looking at a location on Prospect Plains Road near the soccer complex and has finally been given the greenlight to use CDBG funds for the project. Councilman Dipierro commented that was great news and much needed.
- Asked for an update on the Open Space signage to which Administrator Weinberg answered that the signs have all been approved and will be printed in house by the DPW and put up throughout the Township once they are back in action.
- Shared a suggestion for the Township website stating that a construction update along with the professionals and bonding information should be noted on the website as it would be nice for everyone to see what the status is along with a monthly update.
- Councilman Dipierro asked if there was an update to the traffic signal project at the intersection of Old Bridge Englishtown Road and Mounts Mill Road to which Engineer Rasimowicz answered that he did not have an update but will follow up to check the status. Administrator Weinberg added that the Mayor and Council will have to earmark additional monies for the land acquisition for this project as well. Councilman Dipierro asked how many parcels are needed to which Engineer Rasimowicz answered that he would follow up to see how many are needed. Administrator Weinberg clarified that it is really just sections along the end of the road that are needed and not entire parcels of land.

- Councilman Dipierro thanked the Police Department with the speed limit change on Texas Road. He stated that in speaking with the residents living in that area all are very happy and appreciative for the change. He did state that the residents have noticed a few speeding vehicles even though the new speed limit has been implemented. It was also reported that the area of Spotswood Englishtown Road, although a County road, coming from Taylor and Erikson, should be looked into as well, as that is a bad area where vehicles speed all of the time. Ask County to take a look at speed limit there.
- Commented that he noticed palm trees were planted in the landscaping outside of the municipal building and stated they should be removed as they will not survive the Winter months. He added that he was not sure of who made that decision but urged for it to be rectified.
- Commented on the recent uptick in Covid cases and urged everyone to continue to wear their masks and social distance. He extended thanks to everyone for their compliance throughout this pandemic thus far.
- Lastly, wished everyone a safe and happy Thanksgiving.

Council President Cohen –

- Council President Cohen stated that the Township has the most wonderful staff who has worked throughout the most dangerous pandemic we have had. She added that she is grateful to live in a town that takes such great care of its residents. Additionally, when the Covid positive cases from the DPW and the Library were received our Township officials took appropriate action in a rapid and effective manner to keep everyone safe in both the workplace and in the community. Council President Cohen thanked everyone for adhering to the guidelines and reminded everyone to get their flu shot.

Township Clerk Patricia Reid made a few statements regarding the election, thanking all for their help in getting this election executed in an efficient manner noting that it truly takes a village to get this done. She went on to thank Library Director Leah Wagner and her staff at the Library as they hosted the Voter Information Center and make space, rearrange space and move around hours to make it happen. Also, thanked Leah for having the ballot box outside of the Library which proved to be very valuable as the majority utilized this option to send in their ballot. She also thanked the Mayor, Council and Administrator Weinberg as they made sure that our office had everything needed to make the execution of this election a success. Also, extended thanks to Chief Biennas and his department for their help in installing and monitoring the ballot box security camera and bringing the materials to the County at the end of the evening. Extended thanks to the DPW, especially Wayne and Greg, for opening and closing the polling locations in a timely manner even with a limited staff. Thanked Jerry Tague and Mike Gorski and the custodial staffs at the schools for extending their generosity in helping get everything ready for the election. Thanked Karen Theer, Mary Lange, Shannon Cenci, Stacy Kennedy and Kristina Sternesky for all of their help as well. Lastly, extended thanks to her staff for their hard work and noted that it was a great team effort by all.

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

PUBLIC COMMENTS:

Prakash Parab, 33 Dayna Dr. – Mr. Parab extended thanks to the Clerk's Office and asked if there were any provisional ballots that still needed to be counted; Township Clerk Patricia Reid went over the ballot counting process done at the Board of Elections stating that the vote by mail ballots would be verified first and then counted and then the provisional ballots will counted. Mr. Parab asked how many were left to be counted to which Township Clerk Patricia Reid answered that she was unaware of exactly how many were still awaiting counting but did share that in the Township there are 37,800 registered voters and approximately 26,000 voters have mailed in their vote by mail ballots thus far which have been received but not necessarily counted by the County as of yet.

Mr. Parab stated that The India US Forum will be collecting nonperishable food donations, to be collected during the Diwali celebration, to be donated to the Senior Center if they are still accepting donations at this time; if not then the donations will be dispersed to various local pantries.

Mr. Parab questioned since the Governor's Executive Order, mandating all employers to provide employees with the necessary means to work effectively and safely during this pandemic, i.e. masks and social distancing measures in place, will the Township be following up with these employers to make sure that they are adhering to these orders; Chief Biennas explained that there is no plan to oversee what Township businesses are doing to adhere to these guidelines but will look into any issue if a complaint is made or involve the County if needed as well. He noted that there is a hotline number for employees to call if their employers are not following the guidelines.

Michele Arminio, 9 Nathaniel St. – Mrs. Arminio asked if Resolution R-11-2020-244 authorizing an executive session had anything to do with the notification of Local Finance Notice 2020-21; Township Attorney Rainone answered no explaining that this resolution simply allows the Council to go into a closed session.

Mrs. Arminio asked for clarification on Resolution R-11-2020-243; Engineer Rasimowicz answered that the Township has moved to take the cash bond of from the developer of Renaissance at 33 in order complete outstanding punch list items that have not been completed. Mrs. Arminio asked if the money was coming from the developer's bond to which Engineer Rasimowicz answered yes.

Mrs. Arminio asked for an explanation on Resolution R-11-2020-242 for additional monies for general legal services; Administrator Weinberg answered that this is for additional money needed for general legal services which is within our budget from the beginning of the year. Mrs. Arminio asked if the amount was budgeted overall or for just his firm; Administrator Weinberg answered that we have separate contracts for tax appeal services and conflict counsel services and the budget that has been spent and encumbered is less than the previous year's amount and it includes items to be litigated as well. Mrs. Arminio asked if the additional \$56,000 requested is in addition to the \$286,500 contract amount to which Administrator Weinberg answered that is correct.

Lastly, Mrs. Arminio asked if the \$45,000 was being taken from the fund established to replace trees from when builder's cut them down to which Township Attorney Rainone answered yes.

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

Council President Cohen requested that Township Clerk Patricia Reid read aloud Resolution R-11-2020-244;

R-11-2020-244 RESOLUTION AUTHORIZING TO ENTER INTO CLOSED EXECUTIVE SESSION. (Re: Zoning Board matter litigation)

WHEREAS, the Township Council is mindful of the right of the public to attend and witness meetings of the Governing Body and to be involved in all phases of action taken; and

WHEREAS, the Open Public Meetings Act recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest or invade individual privacy; and

WHEREAS, as authorized by the Open Public Meetings Act, N.J.S.A. 10:4-12(b), the Township Council may meet in private session to discuss any of the following matters:

- 1- Matters expressly rendered confidential by law;
- 2- Matters the disclosure of which would jeopardize the receipt of federal funds;
- 3- Matters threatening unwarranted invasion of individual privacy;
- 4- Matters affecting collective bargaining of public employees;
- 5- Matters involving acquisition of real property with public funds or investment of public funds, where disclosures would jeopardize such acquisition or investments;
- 6- Tactics and techniques utilizing in protection of public safety or property; matters concerning investigations of violations or possible violations of law;
- 7- Matters affecting pending or anticipated litigation to which the public body may be party; matters within the attorney client privilege;
- 8- Personnel matters concerning the employment, appointment evaluation, promotion or termination of a public officer or employee;
- 9- Deliberations which may result in the imposition of civil penalty or the suspension or loss of license or permit.

NOW, THEREFORE, BE IT RESOLVED that in compliance with N.J.S.A. 10:4-12, the Township Council of the Township of Monroe shall go into Closed Executive Session on November 4, 2020 to discuss the matter of CT07 SPII LLC and DT07 SPII LLC v. Zoning Board of Adjustment of the Township of Monroe and the Township of Monroe litigation, and the public shall be excluded from this portion of the meeting.

BE IT FURTHER RESOLVED, following the executive session, there shall be no formal action taken on the above matter.

BE IT FURTHER RESOLVED, the minutes of the Closed Executive Session shall be kept by the Township Clerk, and once the need for exclusion of the public no longer exists, then the minutes shall be made available to the public.

SO RESOLVED, as aforesaid.

UPON MOTION made by Council Vice-President Schneider and seconded by Council Dipierro, Resolution R-11-2020-244 was moved for Adoption with the **Executive Session** starting at 7:30pm.

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 Councilman Baskin and seconded by Councilman Dipierro, the **Executive Session** was closed at 7:55pm.

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 Councilman Dalina and seconded by Councilman Dipierro, the Regular Meeting was Adjourned at 7:56pm.

ROLL CALL:	Councilman Leonard Baskin	Aye
	Councilman Stephen Dalina	Aye
	Councilman Charles Dipierro	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 7, 2020.