

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**

**SEPTEMBER 4, 2019**

**AGENDA**

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

2. Salute to the Flag.

3. **ROLL CALL:**

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

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

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

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

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

5. **PRESENTATIONS AND PROCLAMATIONS:**

Presentation honoring Brooke Craparotta (Girl Scout who organized fundraiser for Vetrivel Family/ House Fire)

Proclamations: September - Ovarian Cancer Awareness Month  
September – Childhood Cancer Awareness Month

6. **POLICE DEPARTMENT PROMOTIONS:**

Captain Lisa Robinson  
Lt. John Strych  
Sgt. Brian Burns  
Sgt. Brian Dziomba

7. **MOTION** to approve the payment of **CLAIMS** per run date 8/28/2019.

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

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

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

8. **APPROVAL OF MINUTES:**

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

- **August 5, 2019 Regular Meeting**

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

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

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

- **August 26, 2019 Agenda Meeting (Councilman Dipierro absent)**

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

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

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

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

**O-8-2019-024 ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "AFFORDABLE HOUSING".**

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

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

**PUBLIC HEARING/DISCUSSION**

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

**O-8-2019-025 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC" Trucks Over Four Tons Excluded – Wyckoffs Mills Applegarth Rd (between Wyckoffs Mills Rd. and Applegarth Rd) Federal Road (between Perrineville Rd. and Applegarth Rd)**

Speed limit on Perrineville Rd.  
at High School and Middle School from 35 to 25 mph when children are present

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

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

**PUBLIC HEARING/DISCUSSION**

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

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

**O-9-2019-026 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC" New Chapter "Trucks Over Eight Tons Excluded" Prospect Plains Road, Cranbury Half Acre Road and Cranbury Station Road from the Cranbury border to Applegarth Road.**

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

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

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

11. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**  
(R-9-2019-230 – R-9-2019-244)

- R-9-2019-230**                    **RESOLUTION AUTHORIZING REFUND OF THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- R-9-2019-231**                    **RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE. (\$350)**
- R-9-2019-232**                    **RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (2019 Drive Sober or Get Pulled Over – Statewide Labor Day Crackdown - \$5500)**
- R-9-2019-233**                    **RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF MEMBER TO THE AFFORDABLE HOUSING BOARD.**
- R-9-2019-234**                    **RESOLUTION DECLARING CONTRACTOR DEFAULT AND AUTHORIZING TOWNSHIP TO TAKE ACTION AGAINST THE PERFORMANCE BOND POSTED BY CENTEX FOR THE RENAISSANCE 33 AT MONROE DEVELOPMENT.**
- R-9-2019-235**                    **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) (Middlesex County Office on Aging – Senior Outreach - \$7000)**
- R-9-2019-236**                    **RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR THE OCTOBERFEST CELEBRATION.**
- R-9-2019-237**                    **RESOLUTION AUTHORIZING AN APPLICATION FOR A LOCAL GOVERNMENT ENERGY AUDIT BY THE NEW JERSEY OFFICE OF CLEAN ENERGY FOR THE LIBRARY AND MONROE TOWNSHIP UTILITY DEPARTMENT.**
- R-9-2019-238**                    **RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER PC TO HANDLE THE MATTER CT07 SPII LLC AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (Additional \$7500)**
- R-9-2019-239**                    **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS AND REQUEST FOR QUALIFICATIONS (RFQs) FOR 2020 VARIOUS GOODS AND SERVICES. (EMS Interior Improvements, Ambulance Maintenance & Parts, Charter Bus Transportation, Ambulance Billing, 24+2 Passenger Bus, Ambulance, 2020 Professional Services)**
- R-9-2019-240**                    **RESOLUTION AUTHORIZING REFUND OF WATER CONNECTION FEE. (\$3,324)**
- R-9-2019-241**                    **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO L & L PAVING CO. INC. FOR BID NO. 487 “PATCH PAVING AND CONCRETE REPAIR” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D”). (\$84,691.05)**
- R-9-2019-242**                    **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO RIO SUPPLY INC. FOR SECTION “A” OF CONTRACT 488 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D”). (Estimated total - \$279,180.50)**
- R-9-2019-243**                    **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WATER WORKS SUPPLY CO. INC. FOR SECTIONS “B, C AND D” OF CONTRACT 488 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D”). (Estimated total - \$177,460.15)**



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

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Stephen Dalina with a Salute to the Flag. Sergeant Breuer announced the graduates of the Police youth Academy who led the Salute to the Flag.

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

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

There were approximately one hundred (100) members of the Public present in the audience.

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

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

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

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

Council President Dalina honored Brooke Craparotta for her selfless act in organizing a fundraiser for the Vetrivel Family who suffered through a house fire at their residence. Brooke, a Girl Scout, earned the Bronze Award due to her act of identifying a problem in her community and coming up with a solution. She organized a spaghetti dinner and raised \$5,580. Council President Dalina stated that the Township is so proud of her and all of the volunteers who have raised money for the Vetrivel Family during their time of need.

Council President Dalina called upon Chief Biennas for the swearing in of Captain Robinson, Lieutenant Strych, Sergeant Dziomba and Sergeant Burns who are all being promoted.

Chief Biennas called upon Captain Robinson who is a resident of Monroe Township, living with her mother. Captain Robinson received the rank of Sergeant in the United States Army, as well as, serving in the National Guard where she left on honorable discharge. Captain Robins studied Law and Public Safety at Farleigh Dickinson University and assigned to the patrol division after graduating. In 1995 she was promoted to the Detective Bureau, 2005 promoted to Sergeant and in 2014 promoted to Lieutenant. Tonight, her mother Daisy, daughter Janel and brother were present for the swearing in ceremony. Township Clerk Patricia Reid administered the Oath.

Next, Chief Biennas called upon Lieutenant Strych who is a resident of Monroe Township, as well as, a graduate of Monroe Township High School. Lieutenant Strych earned his Associates in Criminal Justice from Brookdale Community College. Tonight, his wife Kimberly was present for the swearing in ceremony. Township Clerk Patricia Reid administered the Oath.

Next, Chief Biennas called upon Sergeant Dziomba who is a 2004 graduate of Seton Hall University. Sergeant Dziomba was hired in August 2005 where he was assigned to the County Narcotics Task Unit where he served for one year. Sergeant Dziomba has worked in the Detective Bureau for the last nine years. Tonight, his wife Fran, daughters Leanna and Aria, as well as, his parents were present for the swearing in ceremony. Township Clerk Patricia Reid administered the Oath.

Lastly, Chief Biennas called upon Sergeant Burns who was hired by Belmar in 1999 as a Special Law Enforcement Officer and attended Kean University. Sergeant Burns was then hired by Monroe Township in 2002. Tonight, his wife Jackie and children Sean, Kate and Emma, along with his parents, sister and brother in law were present for the swearing in ceremony. Township Clerk Patricia Reid administered the Oath.

Mayor Tamburro commented that this is a historic moment in Monroe Township as Captain Robinson is the first female and first African-American Captain in Monroe Township history. He stated that he has known Captain Robinson for most of her career and has watched her move through the ranks doing an excellent job. He extended congratulations to her. Mayor Tamburro congratulated all of the officers for their promotions and thanked them for all of their hard work in the Township. Lastly, Mayor Tamburro commented that all of our Police Officers are college graduates and that is why our Township is the safest.

Council President Dalina congratulated all of the officers and reminded them to be safe out on the roads.

A five minute recess was taken with the Regular Meeting reconvening at 7:31pm.

**UPON MOTION** made by Council Vice-President Schneider and seconded by Councilman Baskin, the **CLAIMS** per run date of **08/28/2019** were approved for payment as presented.

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

**UPON MOTION** made by Councilman Baskin and seconded by Councilwoman Cohen, the **MINUTES** of the **August 5, 2019 Regular Meeting** were approved as written and presented.

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

**UPON MOTION** made by Councilman Baskin and seconded by Councilwoman Cohen, the **MINUTES** of the **August 26, 2019 Agenda Meeting** were approved as written and presented.

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

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

**O-8-2019-024 ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "AFFORDABLE HOUSING".**

**ORDINANCE** as follows: (O-8-2019-024)

**BE IT ORDAINED** a recommendation of an Amendment to Chapter 131 entitled "Affordable Housing" of the Code of the Township of Monroe was made to the Township Council by the Monroe Township Affordable Housing Board, memorialized on July 24, 2019 by resolution attached hereto as Exhibit "A".

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

**Section 1.** Chapter 131- of the Code of the Township of Monroe, entitled "Affordable Housing" shall be amended to add § **131-6.F** as follows:

§ 131-6. Screening and Qualifications of Prospective Purchasers and Tenants.

**[NEW] F. Municipally Sponsored 100% Affordable Veterans Housing.**

In accordance with the Court approved Housing Element and Fair Share Plan dated June 2016, Monroe Township will undertake a municipally sponsored 100% affordable housing development on Lot 14 in Block 41, consisting of 37 rental units exclusively for

Veterans and Veterans families, of which 6 units (15%) will be for very low-income households.

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

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

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

**SO ORDAINED** as aforesaid.

**Roger Meaney, 22 Harrigan Ave.** – Mr. Meaney asked what the amendment is; Council President Dalina answered that we are specifying that the Municipally Sponsored Affordable Housing Veteran’s Housing Project will be 100% for veterans only.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:  
**O-8-2019-024 ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “AFFORDABLE HOUSING”.**

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-8-2019-024

**UPON MOTION** made by Councilman Baskin and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was moved on second reading for final passage:  
**O-8-2019-025 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “VEHICLES AND TRAFFIC”**

Trucks Over Four Tons Excluded –  
Wyckoffs Mills Applegarth Rd (between Wyckoffs Mills Rd. and Applegarth Rd)  
Federal Road (between Perrineville Rd. and Applegarth Rd)

Speed limit on Perrineville Rd.  
at High School and Middle School from 35 to 25 mph when children are present

**ORDINANCE** as follows: (O-8-2019-025)

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

**SECTION 1.** Chapter 122-35 of the Code of the Township of Monroe, entitled “Schedule VI; Trucks Over Four Tons Excluded” shall be amended as follows: (new text is in **red and underlined**)

In accordance with the provisions of § 122.11, trucks over four (4) tons gross weight are hereby excluded from the following described streets or parts of streets except for the pickup and delivery of materials on such streets or the transport of individuals to and from locations on such streets:

<u>NAME OF STREET</u>	<u>LOCATION</u>
<b><u>ADD</u></b>	
<u>Wyckoffs Mills Applegarth Road</u>	<u>Between Wyckoffs Mills Rd. and Applegarth Rd.</u>
<u>Federal Road</u>	<u>Between Perrineville Rd. and Applegarth Rd.</u>

**SECTION 2.** Chapter 122-44.1. entitled “Schedule XVA” of the Code of the Township of Monroe, which Section establishes “Speed Limits” within the Township of Monroe shall be amended as follows: (new text is in **red and underlined**, text to be deleted is ~~struck~~)

<u>NAME OF STREET</u>	<u>SPEED LIMIT (mph)</u>	<u>LOCATION</u>
<b><u>ADD</u></b>		
<b><u>Perrineville Road</u></b> <u>School Zone Speed Limit at High School and Middle School</u>	<u>25</u>	<u>When children are present.</u>
<b><u>AMEND</u></b>		
<b><u>Perrineville Road</u></b> Zone 2	40	From 2,200 feet south of the Monroe Township-Jamesburg Borough line. <del>except 35 mph School Speed Limit in the Monroe Township High School area in Zone 1, when the presence of children is clearly visible from the roadway or while children are going to or leaving school during opening or closing hours</del>

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

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

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

No Public Comment.

**UPON MOTION** made by Councilman Baskin and seconded by Councilwoman Cohen, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption:  
**O-8-2019-025 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “VEHICLES AND TRAFFIC”**

Trucks Over Four Tons Excluded –  
Wyckoffs Mills Applegarth Rd (between Wyckoffs Mills Rd. and Applegarth Rd)  
Federal Road (between Perrineville Rd. and Applegarth Rd)

Speed limit on Perrineville Rd.  
 at High School and Middle School from 35 to 25 mph when children are present

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-8-2019-025

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, an Ordinance of which the following is the title was introduced on first reading for Final Passage:  
**O-9-2019-026 ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “VEHICLES AND TRAFFIC”**

New Chapter “Trucks Over Eight Tons Excluded”  
Prospect Plains Road, Cranbury Half Acre Road and Cranbury Station Road from the Cranbury border to Applegarth Road.

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-9-2019-026



Councilman Dipierro asked in regards to Resolution R-9-2019-234 if this was for site work; Engineer Rasimowicz answered that this is for site work on the property which is Renaissance at Monroe located on Route 33. Councilman Dipierro asked what the estimates were; Engineer Rasimowicz answered that the bond amount is just under \$2.4 million and the work is well under that number.

**UPON MOTION** made by Councilwoman Cohen and seconded by Councilman Baskin the following Resolutions were moved for Adoption under the **CONSENT AGENDA:**  
(R-9-2019-230 – R-9-2019-244 with the exception of R-9-2019-245 which will be voted on separately)

**R-9-2019-230                      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 Two-Thousand Nine-Hundred dollars and no cents (\$2,900.00),

**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-9-2019-231                      RESOLUTION AUTHORIZING REFUND OF SENIOR CENTER RENTAL FEE. (\$350)**

**WHEREAS**, the Special Event Coordinator, by copy of a letter dated August 16, 2019, copy of which is attached hereto as Exhibit “A”, has recommended the Council approve the following Senior Center rental refund:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
Hadassah c/o Gelb 328A Quinton Drive Monroe Twp., N.J. 08831	Must cancel event scheduled for September 22, 2019.	\$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 **Hadassah in the amount of \$350.00.**

**SO RESOLVED**, as aforesaid.

**R-9-2019-232                      RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) (2019 Drive Sober or Get Pulled Over – Statewide Labor Day Crackdown - \$5500)**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2019 in the sum of \$5,500.00, which is now available as a revenue from the Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant;

**BE IT FURTHER RESOLVED** that a like sum of \$5,500.00 is hereby appropriated under the caption:

**“2019 DRIVE SOBER OR GET PULLED OVER  
STATEWIDE LABOR DAY CRACKDOWN”**

**SO RESOLVED**, as aforesaid.

**R-9-2019-233                    RESOLUTION GRANTING ADVICE AND CONSENT TO THE  
APPOINTMENT OF MEMBER TO THE AFFORDABLE HOUSING BOARD.**

**WHEREAS**, the Honorable Gerald W. Tamburro, Mayor of the Township of Monroe, by copy of letter dated August 21, 2019, has appointed **Richard Lans** to serve on the Affordable Housing Board to fill the unexpired term of Joseph W. Delaney, commencing immediately and expiring on December 31, 2020 and

**WHEREAS**, the Administrative Code of the Township of Monroe requires the Advice and Consent of the Council for such appointments;

**THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Township Council hereby provides its Advice and Consent and confirms the appointment of **Richard Lans** to serve on the **Affordable Housing Board** for an unexpired two (2) year term, commencing immediately and expiring on December 31, 2020.

**SO RESOLVED**, as aforesaid.

**R-9-2019-234                    RESOLUTION DECLARING CONTRACTOR DEFAULT AND  
AUTHORIZING TOWNSHIP TO TAKE ACTION AGAINST THE  
PERFORMANCE BOND POSTED BY CENTEX FOR THE RENAISSANCE 33  
AT MONROE DEVELOPMENT.**

**WHEREAS**, on July 25, 2002, memorialized on August 22, 2002, Calton Homes, LLC, a Centex Company (“Centex”) was awarded Final Major Subdivision Approval by the Monroe Township Planning Board pursuant to Resolution PB # 773-02 for the Renaissance 33 at Monroe development (“Subject Project”); and

**WHEREAS**, on September 27, 2002, Safeco Insurance Company of America (“Safeco” or “Surety”), issued Performance Bond No. 6183780 (“Performance Bond”), which is presently in the amount of \$2,396,442.24, to assure completion of construction on the Subject Project; and

**WHEREAS**, on May 20, 2019, the Township Engineer identified certain incomplete work on the Subject Project, and demanded that Centex correct said deficiencies; and

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

**WHEREAS**, the Township Engineer requested that the Township pursue recourse against the Surety pursuant to the Performance Bond issued on the Subject Project; and

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

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

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

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

**SO RESOLVED**, as aforesaid.

**R-9-2019-235                    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) (Middlesex County Office on Aging – Senior Outreach - \$7000)**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Monroe, County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for Year 2019 in the sum of \$7,000.00, which is now available as a revenue from the Middlesex County Office on Aging – Senior Outreach;

**BE IT FURTHER RESOLVED** that a like sum of \$7,000.00 is hereby appropriated under the caption:

**“MIDDLESEX COUNTY OFFICE ON AGING – SENIOR OUTREACH”**

**SO RESOLVED**, as aforesaid.

**R-9-2019-236                    RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR THE OCTOBERFEST CELEBRATION.**

**WHEREAS**, the Assistant Superintendent of the Department of Recreation, in a letter dated August 9, 2019, a copy of which is attached hereto as Exhibit "A", has requested approval to close a portion of Monmouth Road from Cornell Avenue to Sheffield Avenue on *Sunday, October 13, 2019 from 10:00 a.m. to 6:00 p.m.* for the purpose of the *Octoberfest Celebration*; and

**WHEREAS**, the temporary closing of a portion of Monmouth Road necessitates the detour of traffic which will exit Monmouth Road at 10th Avenue; and

**WHEREAS**, by copy of attached letter dated August 22, 2019, the Chief of the Monroe Township Police Department has reviewed and approved said closing.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that a portion of Monmouth Road shall be temporarily closed on Sunday, October 13, 2019 from 10:00 a.m. to 6:00 p.m. for the Octoberfest Celebration and traffic will exit Monmouth Road at 10th Avenue.

**SO RESOLVED**, as aforesaid.

**R-9-2019-237                    RESOLUTION AUTHORIZING AN APPLICATION FOR A LOCAL GOVERNMENT ENERGY AUDIT BY THE NEW JERSEY OFFICE OF CLEAN ENERGY FOR THE LIBRARY AND MONROE TOWNSHIP UTILITY DEPARTMENT.**

**WHEREAS**, the Township of Monroe is aware of the Local Government Energy Audit (LGEA) Program which is offered to municipalities at no cost by the New Jersey Office of Clean Energy; and

**WHEREAS**, the LGEA will provide a comprehensive survey of the existing energy systems for the Library and the Municipal Township Utilities Department (MTUD) for the purpose of proposing energy efficiency and renewable energy measures and verifying that the proposed measures have the potential to generate energy savings; and

**WHEREAS**, the results of the energy audit will be included in a written report with approximate energy savings to help the Township make informed decisions about reducing energy use at these facilities; and

**WHEREAS**, the Township of Monroe wishes to participate in the LGEA program for the Library and Municipal Township Utilities Department;

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Monroe that the Mayor is hereby authorized to execute the attached application for a LGEA with the New Jersey Office of Clean Energy.

**SO RESOLVED**, as aforesaid.

**R-9-2019-238                    RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN SCHAFFER PC TO HANDLE THE MATTER CT07 SPII LLC AND DT07 SPII LLC v. THE TOWNSHIP OF MONROE ET AL. AS EXTRAORDINARY LITIGATION. (Additional \$7500)**

**WHEREAS**, a lawsuit has been filed against the Township of Monroe, the Monroe Township Zoning Board of Adjustment and the Mayor and Township Council of the Township of Monroe, in the Superior Court of New Jersey, Middlesex County, Docket No. MID-L-3953-19, entitled CT07 SPII LLC, and DT07 SPII LLC v. Township of Monroe, et al.; and

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

**WHEREAS**, the Mayor of the Township of Monroe has requested that Shain Schaffer, P.C. defend the interests of the Township and this matter be treated as extraordinary litigation; and

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

**WHEREAS**, the Township Council, by Resolution Nos. R-6-2019-180 and R-8-2019-205 acknowledged the status of “extraordinary litigation” and provided its advice and consent to the legal services of Shain Schaffer, P.C. pending further authorization of the Township Council; and

**WHEREAS**, Shain Schaffer, P.C. has incurred legal fees in excess of the budgeted amounts and has requested additional authorization in the amount of **\$7500.00**; and

**WHEREAS**, the Council has reviewed the request and believes that an additional authorization in the amount of **\$7,500.00** for the above referenced litigation is reasonable at this time; and

**WHEREAS**, the Township’s Certified Municipal Finance Officer has certified the availability of funds in Certificate No and C-1900052, copy of which is annexed hereto as Exhibit “A”;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that it has rendered its advice and hereby authorizes Shain, Schaffer P.C. be paid for legal services rendered in connection with the matter CT07 SPII LLC, and DT07 SPII LLC v. Township of Monroe, et al in the amount of **\$7,500.00**.

**SO RESOLVED**, as aforesaid.

**R-9-2019-239                    RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS AND REQUEST FOR QUALIFICATIONS (RFQs) FOR 2020 VARIOUS GOODS AND SERVICES. (EMS Interior Improvements, Ambulance Maintenance & Parts, Charter Bus Transportation, Ambulance Billing, 24+2 Passenger Bus, Ambulance, 2020 Professional Services)**

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

- **EMS Interior Improvements**
- **Ambulance Maintenance & Parts**
- **Charter Bus Transportation**
- **Ambulance Billing**
- **24 + 2 Passenger Bus**
- **Ambulance**
- **2020 Professional Services**

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

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.5, the Township of Monroe, in the County of Middlesex, has a need to solicit resumes setting forth qualifications for various services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, County of Middlesex, and State of New Jersey that the Monroe Township Business Administrator is hereby authorized to enter into the bidding process for the aforementioned goods and services and may take any action necessary and consistent therewith.

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the Monroe Township Business Administrator is hereby authorized to prepare qualifications and advertise RFQs for various professional services for Calendar Year 2020 and may take any action necessary and consistent therewith.

**SO RESOLVED**, as aforesaid.

**R-9-2019-240                      RESOLUTION AUTHORIZING REFUND OF WATER CONNECTION FEE.  
(\$3,324)**

**WHEREAS**, the M.T.U.D Engineering Department, by copy of a letter dated August 19, 2019, copy of which is attached hereto as Exhibit "A", has recommended the Council approve the following water connection refund:

<u>Refund to:</u>	<u>Reason</u>	<u>Amount</u>
George Tarantino 134 Helmetta Road Monroe Twp., N.J. 08831	W&S 1146 Block 95, Lot 1 Determined by M.T.U.D Engineering Dept. that water connection not feasible.	\$3,324.00

**WHEREAS**, Council has reviewed the recommendation of the M.T.U.D Engineering Department 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 **George Tarantino in the amount of \$3,324.00**.

**SO RESOLVED**, as aforesaid.

**R-9-2019-241                      RESOLUTION AUTHORIZING AWARD OF CONTRACT TO L & L PAVING  
CO. INC. FOR BID NO. 487 "PATCH PAVING AND CONCRETE REPAIR"  
BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D").  
(\$84,691.05)**

**WHEREAS**, on August 22, 2019 two (2) sealed bids were received, publicly opened, and read aloud by the Monroe Township Utility Department Purchasing Agent for Contract 488, "Patch Paving and Concrete Repair", required by the M.T.U.D.

**WHEREAS**, the M.T.U.D. Purchasing Agent, after review with the Director, has recommended in a letter dated August 23, 2019, subject to a positive review from the township attorney, that a contract be awarded to the low bidder L & L Paving Company, Inc. Farmingdale NJ, based upon the total of *unit pricing and estimated quantities* contained within their bid documents (\$84,691.05), a copy of which is attached hereto as Exhibit "B"; and

**WHEREAS**, the Township Council has reviewed and hereby consents to the award of bid based upon the recommendations of the M.T.U.D. Purchasing Agent; 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-190013**, 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**, by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of a one (1) year contract with two optional one (1) year extension terms with acceptance by L & L Paving Company, Inc. for the Patch Paving and Concrete Repair for Monroe Township Utility Department; 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 (1) one year contract L & L Paving Company, Inc. in accordance with their submitted bid;
- (2) The Chief Financial Officer is hereby authorized and directed to pay invoices for material delivered by L & L Paving Company, Inc. in accordance with their contract;
- (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 L & L Paving Company, Inc. shall provide a properly executed certificate of insurance and performance bond, as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2019-242                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO RIO SUPPLY INC. FOR SECTION "A" OF CONTRACT 488 "WATER METERS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D"). (Estimated total - \$279,180.50)**

**WHEREAS**, on August 22, 2019 at 11:15 AM, two (2) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 488, "Water Meters", required by the M.T.U.D.; and

**WHEREAS**, Rio Supply, Inc. has submitted the lowest responsible and responsive bids for Section A; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated August 23, 2019, has recommended that, subject to a positive review from the township attorney, a contract be awarded to Rio Supply, Inc. of 100 Allied Parkway, Sicklerville, NJ, based on unit pricing and estimated quantities (estimated contract total \$279,180.50), for the section and lines listed above, 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-190013 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**, Rio Supply, 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 contract Rio Supply, Inc. in accordance with their submitted bid;
- (2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Rio Supply, 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 Rio Supply, Inc. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2019-243                    RESOLUTION AUTHORIZING AWARD OF CONTRACT TO WATER WORKS SUPPLY CO. INC. FOR SECTIONS “B, C AND D” OF CONTRACT 488 “WATER METERS” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D”). (Estimated total - \$177,460.15)**

**WHEREAS**, on August 22, 2019 at 11:15 AM, two (2) sealed bids were received, publicly opened, and read aloud, by the Monroe Township Utility Department Purchasing Agent for Contract 488, “Water Meters”, required by the M.T.U.D.; and

**WHEREAS**, Water Works Supply Co., Inc. has submitted the lowest responsible and responsive bids for Sections B and C, and Section D; and

**WHEREAS**, the Purchasing Agent of the M.T.U.D. by copy of a letter dated August 23, 2019, has recommended that, subject to a positive review from the township attorney, a contract be awarded to Water Works Supply Co., Inc. of 660 Highway 23, Pompton Plains, NJ, based on unit pricing and estimated quantities (estimated total \$177,460.15), for the sections and lines listed above, 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-190014 a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, Water Works Supply Co., 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 contract Water Works Supply Co., Inc. in accordance with their submitted bid;
- (2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Water Works Supply Co., 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 Water Works Supply Co., Inc. shall provide a properly executed certificate of insurance as required by the specifications.

**SO RESOLVED**, as aforesaid.

**R-9-2019-244                    RESOLUTION AUTHORIZING AWARD OF BID TO BLACK ROCK ENTERPRISES, LLC. FOR THE PARK AND RIDE IMPROVEMENT PROJECT. (\$534,704)**

**WHEREAS**, on August 23, 2019 six (6) sealed bids were received by Monroe Township regarding the **Park and Ride Improvements Project**; and

**WHEREAS**, the Township Engineer, by copy of letter dated August 26, 2019, has recommended *Black Rock Enterprises, LLC. 1316 Englishtown Road Old Bridge, N.J. 08857* be awarded the contract based upon their bid submission in the amount of **\$534,704.00**; and

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

**WHEREAS**, the Township’s Certified Municipal Finance Officer has determined that sufficient funds are available, as set forth in Certificate No. C-1900067, a copy of which is attached hereto as Exhibit "A"; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that it has rendered its advice and hereby consents to the award of bid to *Black Rock Enterprises, LLC.* for the **Park and Ride Improvements Project**, at a total contract price of **\$534,704.00**; and

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

**BE IT FURTHER RESOLVED**, the award of contract is contingent upon the Township Attorney's review of the contract and bid documents and finding them legally sufficient and compliant with the bid specifications; and

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

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

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

**SO RESOLVED**, as aforesaid.

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 Resolution Duly Filed.

An overview by Bob Chilton of Gabel Associates was presented to the Mayor and Council going over the Monroe Township Energy Aggregation Program. Mr. Chilton explained that in 2014 the program started and to date we have seen over \$10 million of savings. The current contract is coming to end in December and the new contract will be concurrent with when the old contract ends. He further explained that we have a two-stage process, where the 1<sup>st</sup> stage is to collect qualifications from suppliers and today was the submission for the price proposals. We have received proposals from all 3 licensed qualified suppliers. Mr. Chilton explained that for the Option A Contract, the low-price offer was from Constellation New Energy which has been around for 20 years and has serviced many in New Jersey. He further explained that the lowest price was for a 12-month contract but the RFP provides for the Township to award on several factors, such as, price stability. The 24-month contract has the advantage of another year of continuous savings and our recommendation is that the 24-month contract makes the most sense. He added that the contract will go into effect in December and the rate will be 10% below the rate JCP&L has. It is projected that the JCP&L rates will be increasing as well. It is also estimated that the average resident will save approximately \$150. Mr. Chilton added that this is the 2<sup>nd</sup> lowest bid we have seen and the pricing is good in the current market conditions. The contract price will also be approximately 3% lower than the current contract. Mr. Chilton added that he would be happy to answer any questions the Mayor and Council may have.

Mayor Tamburro asked if this is an opt out program; Mr. Chilton answered that the State regulations require an opt out program. Mayor Tamburro asked how many Township residents are enrolled in the program to which Mr. Chilton stated approximately 13,000 households are currently enrolled. Council President Dalina commented that in the past a flyer was put out and he would like to see that again. Administrator Weinberg commented that the Township goes out to educate people in the community also and we hear on a daily basis from the residents that companies reach out to them with "teaser rates". We caution our residents because these other rates are not locked in. Council President Dalina asked if he is already enrolled in the program if there was anything else he needed to do; Mr. Chilton answered that there is nothing further that has to be done as JCP&L will provide a list of people who are currently enrolled. Councilman Dipierro commented that the rate is 3% lower; Mr. Chilton explained that the summer tariffs for JCP&L is around \$.086 and the big savings happens in the Winter when it is around \$.0925. Councilman Dipierro stated that many communities are all electric, so if JCP&L's rates are lower then these residents would be locked in and unable to benefit from the lower rate. Mr. Chilton explained that the current JCP&L rate is 10% higher than what our current contract is. Council Vice-President Schneider commented that she lives in an all-electric community and is thankful for the program because she does see a savings. Councilman Baskin asked what the average yearly savings per household is; Mr. Chilton responded that the average is around \$150 but there has been more savings seen with households who are all electric. Councilwoman Cohen commented that she does not live in an all-electric community but has noticed the savings; she asked if renewable energy is built into the regulations to increase the amount of renewable energy over time; Mr. Chilton answered that since the beginning of the market it will be increasing. It is expected to be 40% by 2030.



**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider the following Resolution was moved for Adoption and considered separately:

**R-9-2019-245                    RESOLUTION OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO MONROE TOWNSHIP COMMUNITY ENERGY AGGREGATION (MTCEA) PROGRAM PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE MTCEA PROGRAM PURSUANT TO N.J.A.C. 14:4-6.**  
(RFP deadline September 4th, 2019 @ 12:00pm)

**WHEREAS**, the Government Energy Aggregation Act of 2003 (PL. 2003, C. 24) governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers join together for the purchase of electric utility services by a government aggregator; and

**WHEREAS**, the New Jersey Board of Public Utilities has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

**WHEREAS**, the Monroe Township Council passed an ordinance dated August 5, 2013 (Ordinance No. O-8-2013-012) authorizing the formation of a Government Energy Aggregation in the Township of Monroe, New Jersey, named the Monroe Township Community Energy Aggregation (“MTCEA”) Program, and passed an ordinance dated April 1, 2019 (Ordinance No. O-3-2019-011) authorizing the continuation of the MTCEA; and

**WHEREAS**, the Township of Monroe is acting as the Lead Agency of the MTCEA; and

**WHEREAS**, the residents of Monroe Township are included in the MTCEA on an “opt-out” basis, as set forth in applicable rules (N.J.A.C. 14:4-6); and

**WHEREAS**, by virtue of Ordinance No. O-3-2019-011 and in accordance with New Jersey Board of Public Utilities rules (N.J.A.C. 14:4-6) and applicable law (PL. 2003, C. 24), Monroe Township is authorized to award a contract for electric generation service and government energy aggregation services on behalf of participating residential customers; and

**WHEREAS**, the Township of Monroe, in its capacity as Lead Agency, publicly noticed and issued on August 6, 2019 a Request for Proposals (RFP) for the provision of electric generation service and government energy aggregation services for the fourth round of the MTCEA Program (MTCEA Round-4) and has solicited proposals from qualified suppliers in New Jersey; and

**WHEREAS**, the RFP provided for a two- stage process that included: Stage 1 for the submission of supplier questions and comments and the submission of qualification documents by interested New Jersey Board of Public Utilities (NJBPU) -licensed electric power suppliers; and Stage 2 for the submission of price proposals; and

**WHEREAS**, the RFP provides for the submission of separate pricing for electric generation service for three potential contract durations (term) beginning December 2019 as follows: either 12 months (until December 2020), 17 months (until May 2021) or 24 months (until December 2021); and

**WHEREAS**, the RFP provides for the submission of separate pricing for electric generation service for two different contract language options: Option A) using the form of Master Performance Agreement attached to the RFP; and Option B) using the form of MPA attached to the RFP except that a new subsection 2.1.6 as set forth above is added to the MPA; and

**WHEREAS**, the RFP provides for the submission of separate pricing for electric generation service for one pricing group, 1) Participating Residential Accounts; and the RFP provides for the award of a contract for Participating Residential Accounts at the discretion of the Township of Monroe and in accordance with the evaluation criteria set forth in the RFP; and

**WHEREAS**, during Stage 1 non-binding Notices of Intent and other qualification documents were received from three (3) NJBPU-licensed electric power suppliers; and

**WHEREAS**, a number of supplier questions and comments were received and, as a result, on August 23, 2019, a document entitled ‘Responses to Supplier Questions, Clarifications and Addendum No.1’ was issued and distributed to all suppliers that had submitted a Notice of Intent to Propose; and

**WHEREAS**, Stage 2 price proposals and accompanying Transmittal Letters were submitted by three (3) NJBPU-licensed electric power suppliers by the 12:00 noon September 4, 2019 deadline set forth in the RFP; and

**WHEREAS**, the Monroe Township Council, in consultation with its energy agent, has conducted extensive and in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP and Addendum No.1; and

**WHEREAS**, as a result of the evaluation of qualifications and proposals and analysis of price proposals submitted, the Monroe Township Council has determined that the proposal submitted by Constellation New Energy, Inc. for the 24-month contract term and contract language Option A: 1) is most advantageous to the participating Township customers, price and other factors considered; 2) will provide for contract power supply prices that are lower than the applicable Jersey Central Power and Light Co. (“JCP&L”) Basic Generation Service tariff prices for power supply, making it feasible to award a contract for the Residential Account pricing group; and 3) provides the opportunity for residents currently receiving budget billing from JCP&L to continue to receive that service from the third party supplier.

**NOW, THEREFORE, BE IT RESOLVED** that the Monroe Township Council hereby awards a contract for the provision of electric generation service to the Participating Residential Accounts pricing group and the provision of government energy aggregation services in connection with the MTCEA Round-4 Program to Constellation New Energy, Inc. in accordance with the terms and conditions of the RFP (including the form of Master Performance Agreement included therein), as amended and/or clarified pursuant to Addendum No. 1 to the RFP and consistent with the contract language option awarded herein; and

**FURTHER RESOLVED** that government energy aggregation services to be provided by Constellation New Energy, Inc. including implementation of the opt-out process for residential customers as set forth in the RFP and applicable NJBPU rules, shall commence immediately upon execution of the Master Performance Agreement; and

**FURTHER RESOLVED** that the following start date, contract term, contract price and contract language option are awarded for electric generation service to participating MTCEA Round-4 residents to be provided by Constellation New Energy, Inc.:

<u>Pricing Group</u>	<u>Contract Start</u>	<u>Term</u>	<u>Contract Price</u>
Residential Accounts	December 2019	24 Months	\$0.08395/kwh

Contract Language Option  
Option A

**FURTHER RESOLVED** that the Mayor is authorized to execute a Notice of Award Letter to Constellation New Energy, Inc. and the Mayor is authorized to execute and the Clerk to attest to the execution of the Master Performance Agreement, in the form included in the RFP (as amended pursuant to Addendum No. 1 and otherwise consistent with the contract Language option awarded).

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 Resolution Duly Filed.

**Mayor’s Report** – Mayor Tamburro reported that he is very pleased with the Energy Aggregation Program, stating that we are pioneers in this program and it has been very successful.

Pleased with the new concession stand and ADA bathroom at the Daniel Ryan Field. This has been much needed and now it is open for all to enjoy.

In regards to the truck ordinance, the warehouses were approved with the condition that Liberty Way, a bypass road would be built to divert the truck traffic. We were asked to support the building of this road and we did but the bypass road was never built. This ordinance is a benefit so we do not have to put up with the truck traffic.

Excited for the Park & Ride improvements to take place.

The 9/11 Memorial Service will begin at 8:30am at the Veteran’s Memorial Park on Prospect Plains Road. The Regency Choir will be in attendance singing.

**Administrator’s Report** – Administrator Weinberg reported that the Energy Aggregation Program saves on average each resident \$300, with a total of \$13,000,000 saved by the residents since implementing the program. We will be almost 10% lower with the rate this Winter. Extended thanks to Mr. Chilton and Harold Klein for their work in this program.

Thanks to the County for their contribution to the Daniel Ryan Field and thanks to Center State for moving this project forward and the Monroe Township Utility Department for running the sewer line.

The concession stand at the Soccer Complex is moving along as well.

Received a \$7,000 Senior Outreach Grant.

The Township has received a Pavement Preservation Grant for \$600,000; as well as receiving a \$557,000 grant from the County earlier this year to improve Schoolhouse Road. We will continue to apply for every grant available.

The Township Engineer and the Township Attorney have a resolution on the agenda to take the bond from Centex. It is time to hold them accountable and fix the issues if we have to. He explained that we have recently done this at Renaissance and Encore and will continue to step in should we need to.

Reported that we have received 6 bids for the Park & Ride Improvement Project; this is a great project for the residents who still commute to work.

If anyone has missed the presentation given last month regarding taxes, it is on the Township website to view. The municipal rate has been flat and the total increase has been \$.08. The municipal tax is separate from the Fire Districts. It is also worthy to be noted that we have the 2<sup>nd</sup> lowest rate in Middlesex County overall.

Cranbury Half Acre Road to Brickyard Road is closed. Some have been making a left on Wykoff Mills Applegarth Road which is not the place for tractor trailers. He explained that we have introduced an Ordinance to limit the trucks on Prospect Plains Road, Cranbury Half Acre Road and Cranbury Station Road to 8 tons. One traffic study done found that there were 313 tractor trailers that use that roadway. We do not want to maintain a thoroughfare for these trucks. The bypass road was never built by Cranbury and the money was returned to the developers.

**Engineer's Report** – Engineer Rasimowicz reported that the Daniel Ryan Field Concession Stand is completed and has been turned over to the hands of our Recreation Department.

The concession stand at the Soccer Complex is coming along and completion should be in approximately 2 weeks.

The Township Wide Paving Project has completed 10 roads. Middlesex County paved a lot of roadways as well.

The Schoolhouse Road Paving Project has been completed under the NJDOT grant received in the amount of \$557,000.

Tonight, the improvements to the Park & Ride was awarded. That project will encompass replacing the existing shelter with a larger shelter. We are looking to get the project started and approximate that it will take about 3 months to complete.

The Federal Road Railroad Crossing Improvements are moving along.

The EMS Building Roof Replacement Project is nearing completion.

At the last meeting the 2019 Guardrail Replacement and Road Striping Projects were awarded and will begin sometime next week.

Stonebridge's request to pull Lennar's performance bond is moving forward. We met with Lennar's bond company on site yesterday at Stonebridge.

### **Council's Reports:**

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

- Middlesex County will hold their paper shredding event on Friday, September 13<sup>th</sup> at Thompson Park from 9:00am until 12:00pm or until the truck is full.
- The Green Fair will be on September 28<sup>th</sup> from 10:00am to 3:00pm at the high school.
- Received a thank you card from Eagle Scout, Frankie Oresto, thanking me for attending and supporting him. It was a pleasure to attend.

#### **Councilman Dipierro –**

- Congratulated all of the police officers and noted it was wonderful to see Girl Scout Brooke Craparotta commended for her actions as well. Councilman Dipierro asked if the lawsuit with one of our police officers was still ongoing to which Administrator Weinberg answered that it is and is in the beginning stages. Councilman Dipierro commented that with the officer's promotion he was

curious to see if it would still be pending; Administrator Weinberg stated he would look into this further.

- Reported that the water towers are in much need of repairs and he has sent emails regarding this but was told that the repairs will not be done this year.
- Sent pictures of the paving done on Spotswood Englishtown Road and north State Home Road which will cause water build up and become problematic specifically during the Winter.
- Asked if there was an update on the traffic signal to be put up on Route 33 and Applegarth Road; Engineer Rasimowicz answered that there was nothing new to report only that it would happen this year.
- Councilman Dipierro asked for the status of the left turn arrow on Applegarth Road/Butcher Road and Route 33; Engineer Rasimowicz answered that the project is being designed by the County and they are doing parcel mapping for land acquisition and are still in the design phase.
- Asked how many actual permits we have for the Park & Ride; Administrator Weinberg answered that the Park & Ride is about 2/3 full but he will get the exact number to report back.
- Councilman Dipierro asked if there has been any movement since we opted out of having the old building at the Daniel Ryan Field connected to the sewer; Administrator Weinberg answered that this is something to be discussed further as being there is a bathroom 200 feet away it may not be needed and would cost about \$60,000. Councilman Dipierro stated that we could do it cheaper and it should be done.
- He thanked the DPW and Center State for the great job on the paving program.
- Thanked our First Responders, Police, EMS and Fire for all of their hard work as they are always available 24/7 and they rise to every occasion. Their unbelievable work makes everything better.

**Councilman Baskin –**

- Attended the Daniel P. Ryan Field Grand Opening celebration which was very impressive. Learned from Recreation Supervisor Mary Lange that there is an air-conditioned meeting room at the field as well.
- The Green Fair will be on September 28<sup>th</sup> from 10:00am to 3:00pm at the high school.

**Councilwoman Cohen –**

- Reminded everyone that September is National Preparedness Month; it is recommended that everyone get a disaster plan in place and pay attention to news reports which are very important. There are websites to help you prepare one if there are any questions.
- The Cultural Arts Commission will be having their Annual Juried Art Show on October 15, 2019 from 10:00am to 2:00pm held at the Library.

**Council President Dalina –**

- The Monroe Township Recreation Department will be accepting vendor applications for Octoberfest. If anyone is interested please contact the Recreation Department for more information. The application deadline is October 1<sup>st</sup>.
- Attended the Indian Cricket Tournament which raised funds for the Monroe Township PBA.
- As school begins it was reminded that the school buses carry our precious cargo and it is important that everyone stops when seeing bus lights.

**PUBLIC:**

**Gary Busman, 7 Monarch Rd.** – Mr. Busman thanked the EMS for all of their efforts as they are always courteous. He mentioned that his wife is handicapped and they have always been excellent and we should continuously applaud their efforts.

Extended thanks to the DPW for their help in moving a shed at the Community Garden. With the shed moved, the greenhouse can now be delivered. A contractor has been secured to lay the foundation and the completed project will be used to cultivate the flowers and plants. Mr. Busman thanked everyone for their continued support.

**George Tratoris** – Mr. Tratoris introduced himself as the President of the Board for Renaissance 33 and he extended his thanks to the Mayor and Engineer for supporting their fight with Pulte.

**Roger Meaney, 22 Harrigan Ave.** – Mr. Meaney stated that he was out of town for the past two weeks but understands that the Lennar project on Mounts Mills Road received a stop work order because they did not follow through with their affordable housing obligations. Mr. Meaney read aloud a statement from the Mayor. He then stated that they have been working seven days a week, including on Sundays which is against the code of the Township. Mr. Meaney commented that he thinks we are giving them too much and added that if there is a stop work order in place then why does he have video of people working on that site on Sunday. Administrator Weinberg stated that he will look into this as Engineer Rasimowicz, Lou Buonocore and the Attorney have all been working on this.

Administrator Weinberg went on to explain the Mount Laurel decision and explained that the requirement, which is state regulated, mandates that once 20% of the market rate units are built then 10% of those units need to be affordable housing units. The developer decided to not move forward with the affordable units. Administrator Weinberg read aloud the Mayor's press release which explained the suspension of the project. Mr. Meaney asked why the Township is allowing them to work on Sunday's; Administrator Weinberg stated that he received a phone call that there was work being done on Sunday and the police were sent out. It was noted that they were doing carpeting which is not against our Township code. Mr. Meaney stated that he would email the video taken as there is date and time stamp on it.

**Rich Bossard, 91 Halsey Reed Rd** – Mr. Bothan thanked the Mayor and Council for the weight restrictions on Halsey Reed Road.

**George Gunkelman, 5 Kelly Ct.** – Mr. Gunkelman commented on the energy aggregation program and stated that he feels that we take pride in being a green community but we do not make an attempt to see a higher percentage of personal consumption. He stated that he felt that the savings is not really seen. He added that he has asked a renewable energy option and nothing has happened and he is disappointed. He stated that the public never has a chance to speak before the vote.

Mr. Gunkelman asked that the income to the Monroe Township Utility Department is per annum as this was an entity taken over by the Township. He also asked what the receipts brought in versus the budget given to them; Administrator Weinberg stated that in 2008 we took over the Monroe Township Utility Department and it is self-liquidating. We added \$900,000 to the surplus and there have been times that we have transferred money to them from the Township when necessary.

**Kevin Dunchy, Solar Landscape** – Mr. Dunchy introduced himself as a representative from Solar Landscape and stated that he has worked with Mr. Chilton and his highly respected team at Gabel Associates. Mr. Dunchy commented that he thinks the Township's Green Fair is a wonderful event and wanted to speak about how the Township and its residents can get involved with 100% renewable energy. He explained that legislation was passed last year and applications for those interested are due by September 9<sup>th</sup> which would allow the residents to go with renewable energy and receive a 10% discount. He further explained that there is no need to have solar panels put homes and the opportunity to go solar would still be an option for those interested. Mr. Dunchy asked the Mayor and Council if they would sign a letter of support which would give the residents of the Township the opportunity to purchase 100% renewable energy. Council President Dalina asked for Mr. Dunchy to provide any information he had to the Clerk noting that it would be dispersed accordingly for further review.

**Lucille DiPasquale, 70 Ave K** – Ms. DiPasquale expanded on the comments made regarding the Green Fair and shared that tables for anyone interested were still available by contacting the Township and speaking to Kathy Budge for an application. Ms. DiPasquale shared that there will be a zoo animal show, health and wellness area distributing free flu shots, as well as, a recycling booth. Donations will also be accepted and a bike exchange will be there as well. She added that she hopes the residents take advantage of this wonderful program.

**UPON MOTION** made by Councilwoman Cohen and seconded by Council Vice-President Schneider, the Regular Meeting of September 4, 2019 Adjourned at 8:49 PM.

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

*Patricia Reid*  
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PATRICIA REID, Township Clerk

*Stephen Dalina*  
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STEPHEN DALINA, Council President

Minutes were adopted on: October 7, 2019.