

**** The public will be able to view this meeting via the following YouTube link:**
<https://www.youtube.com/@monroetownship9053>

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/REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

SEPTEMBER 6, 2023

1. **AGENDA MEETING CALLED TO ORDER.** (6:30 p.m.)
2. **SALUTE TO THE FLAG.**
3. **ROLL CALL:**

Councilwoman Miriam Cohen
Councilman Charles Dipierro
Councilman Michael Markel
Councilwoman Rupa P. Siegel
Councilman Terence Van Dzura

4. Township Clerk Patricia Reid reads the **SUNSHINE LAW** into the record.

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

1. Posted on the Bulletin Boards within the Municipal Building on December 30, 2022 and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and the **CRANBURY PRESS** on December 30, 2022;
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. **PRESENTATION/PROCLAMATIONS:**

Recognizing Judy Olbrys, EMS Director and her 53 years of service to the Township of Monroe

Proclamation: Childhood Cancer Awareness Month – Go Gold – September 2023

Proclamation: Sepsis Awareness Month – September 2023

Proclamation: Balance Awareness Week – Vestibular Disorder – September 17-23, 2023

6. **ORDINANCE(S) for SECOND READING** at the September 6, 2023 Regular Meeting:

O-8-2023-023 **ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ASSUME AN ACCESS EASEMENT TO LOT 21.04 ON LOT 21.02, BLOCK 60, ACCEPT THE DEDICATION OF LOTS 21.17 AND 21.18, IN BLOCK 60 FOR STORMWATER MANAGEMENT PURPOSES, AND ACCEPT DEEDS OF CONVEYANCE OF DRAINAGE AND ACCESS EASEMENTS FOR LOTS 21.17 AND 21.18 IN BLOCK 60.**
(Majestic Woods Drive)

7. **ORDINANCE(S)** for **INTRODUCTION** at the September 6, 2023 Regular Meeting:
- O-9-2023-024** **ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT 400 SPOTSWOOD GRAVEL HILL ROAD KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP.**
- O-9-2023-025** **ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “TOWING AND STORING OF VEHICLES”.**
- 8 **RESOLUTIONS** for **CONSIDERATION** under **CONSENT AGENDA** at the September 6, 2023 Regular Meeting: (R-9-2023-209 – R-9-2023-222)
- R-9-2023-209** **RESOLUTION AUTHORIZING THE RELEASE OF THE REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN ON BLOCK 169.10, LOT 3.**
- R-9-2023-210** **RESOLUTION AUTHORIZING THE DISCHARGE OF AFFORDABLE HOUSING LIEN GIVEN ON BLOCK 14, LOT 12.51 QUALIFIER C051.**
- R-9-2023-211** **RESOLUTION AUTHORIZING AMENDMENT #1 TO CONTRACT NO. 504 “WATER & WASTEWATER LABORATORY ANALYSIS SERVICES” WITH GARDEN STATE LABORATORIES, INC. TO EXTEND THE TERMINATION DATE ONE YEAR FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (per unit pricing)**
- R-9-2023-212** **RESOLUTION AUTHORIZING AMENDMENT #1 TO CONTRACT NO. 505 “SYSTEM REPAIR SERVICES” WITH J. FLETCHER CREAMER & SON INC. TO ENTEND THE TERMINATION DATE ONE YEAR FOR THE MONROE TOWNSHIP UTILITY DEPARMENT (“M.T.U.D.”). (per unit pricing)**
- R-9-2023-213** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RAYBERN UTILITY SOLUTIONS LLC. FOR CONTRACT 523 “WATER METER COMMUNICATIONS MODULES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (\$194,978)**
- R-9-2023-214** **RESOLUTION AUTHORIZING GRANT AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURCHASE OF ELECTRIC VEHICLE CHARGING STATIONS.**
(It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program - \$24,000)
(Locations of Charging Stations: Senior Center, Rec Center, Library)
- R-9-2023-215** **RESOLUTION AUTHORIZING THE AWARD OF THE MUNICIPAL BUILDING ROOF REPLACEMENT PROJECT TO LAUMAR ROOFING COMPANY, INC. USING THE BERGEN COUNTY (NJCPA) STATE APPROVED COOPERATIVE PURCHASING PROGRAM #CK04 FOR THE TOWNSHIP OF MONROE. (\$149,123.60)**
- R-9-2023-216** **RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS.**
- R-9-2023-217** **RESOLUTION APPOINTING ALTERNATE DEPUTY REGISTRAR OF VITAL STATISTICS.**
- R-9-2023-218** **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 623.7a STRATFORD – PB-1084-10 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- R-9-2023-219** **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR W-1113 – JAMESBURG MANOR LLC POSTED TO THE MONROE TOWNSHIP UTLITY DEPARTMENT (“M.T.U.D.”).**

R-9-2023-220 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1168-3 VILLAGES AT COUNTRY VIEW (AKA COUNTRYSIDE) - PB-1213-18 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

R-9-2023-221 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO REYNOLDS CONSTRUCTION FOR EMERGENCY REPAIRS OF FILTERS #7 AND #8 AT WELL 21 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) (\$119,616)

R-9-2023-222 RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE AND BERM AND LANDSCAPING GUARANTEE UPON THE ACCEPTANCE OF MAINTENANCE GUARANTEES, POSTED FOR REGENCY AT MONROE – PHASE 10 – PB-1151-14.

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

OPEN: MOTION: _____ SECOND: _____

CLOSE: MOTION: _____ SECOND: _____

10. **Agenda Meeting Adjournment.** Time: _____

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

SEPTEMBER 6, 2023 REGULAR MEETING TO FOLLOW

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

**REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL**

SEPTEMBER 6, 2023

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 **AUGUST 31, 2023.**

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

3. **APPROVAL OF MINUTES:**

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

August 7, 2023 - Agenda and Regular Combined Meeting

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

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

O-8-2023-023 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ASSUME AN ACCESS EASEMENT TO LOT 21.04 ON LOT 21.02, BLOCK 60, ACCEPT THE DEDICATION OF LOTS 21.17 AND 21.18, IN BLOCK 60 FOR STORMWATER MANAGEMENT PURPOSES, AND ACCEPT DEEDS OF CONVEYANCE OF DRAINAGE AND ACCESS EASEMENTS FOR LOTS 21.17 AND 21.18 IN BLOCK 60. (Majestic Woods Drive)

PUBLIC HEARING OPEN: MOTION: _____ SECOND: _____

PUBLIC HEARING CLOSE: MOTION: _____ SECOND: _____

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

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

O-9-2023-024 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT 400 SPOTSWOOD GRAVEL HILL ROAD KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP.

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

O-9-2023-025 ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "TOWING AND STORING OF VEHICLES".

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

6. **RESOLUTIONS for CONSIDERATION under the CONSENT AGENDA:**
(R-9-2023-209– R-9-2023-222)

R-9-2023-209 RESOLUTION AUTHORIZING THE RELEASE OF THE REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN ON BLOCK 169.10, LOT 3.

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(It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program - \$24,000)
(Locations of Charging Stations: Senior Center, Rec Center, Library)

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MOTION: _____ SECOND: _____

ROLL CALL: Ayes ___ Nays ___

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

MOTION: _____ SECOND: _____

ROLL CALL: Ayes ___ Nays ___

8. **Administrator’s Report.**

9. **Engineer’s Report.**

10. **Council’s Reports.**

11. **Mayor’s Report.**

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

OPEN: MOTION: _____

SECOND: _____

CLOSE: MOTION: _____

SECOND: _____

13. **Adjournment.** MOTION: _____

SECOND: _____

Time: _____

COUNCIL MEETING MINUTES

MEETING OF THE MONROE TOWNSHIP COUNCIL – September 6, 2023

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

A moment of silence was held in memory of retired Monroe Township Police Department Lieutenant and current evidence clerk Kenneth J. K. Gross who passed away suddenly in his home, he served Monroe Township for over 47 years, as well as former Mayor of Monroe Township and Senator, Peter Garibaldi who passed away on August 20th. He will be forever remembered and thanked for his service to his Country and Monroe Township.

UPON ROLL CALL by the Township Clerk, Patricia Reid, the following members of Council were present: Councilman Charles Dipierro, Councilman Michael Markel, Councilwoman Rupa P. Siegel, Council Vice-President Terence Van Dzura, and Council President Miriam Cohen.

ALSO, PRESENT: Business Administrator Alan M. Weinberg, Assistant Business Administrator Kevin McGowan, Utility Director Joseph Stroin, Township Attorney Louis Rainone, Engineer Mark Rasimowicz and Deputy Clerk Christine Robbins.

ABSENT: Mayor Stephen Dalina

There were approximately fifty (50) members of the Public in attendance.

Township Clerk Patricia Reid read the following **SUNSHINE LAW** into the record:

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

1. Posted on the Bulletin Boards within the Municipal Building on December 30, 2022 and remains posted at that location for public inspection.
2. Printed in the **HOME NEWS TRIBUNE** and noticed to the **CRANBURY PRESS** on December 30, 2022;
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 rolling time unless further time is granted by the Council President.

Council President Cohen called upon Judy Olbrys, EMS Director to recognize her for her 53 years of service to the Township. She stated that Judy has been a driving force of the growth and success of the Monroe Township First Aid Squad and the Monroe Township Municipal Ambulance Services, sharing that Judy started out with a station wagon, operating out of her own home, to bring medical services to the Township, with the mantra “to be there when you need me” which we have all learned that to be true. Council President Cohen continued stating that Judy’s legacy will continue for many years to come as she leaves behind a department who will continue to provide outstanding service to our residents at the direction of Richard Morris. She extended congratulations to Judy on her retirement and thanked her for her unwavering dedication to the Township.

Council Vice President Van Dzura came forward and read aloud a proclamation presented to Judy on behalf of Senator Bonnie Watson Coleman, as well as, dedicating the roadway leading to the EMS building as “Judy Olbrys Way” which will be a great memory for everyone who has had the pleasure of working with her and a way to commemorate all the hard work and dedication given to the Township.

Judy Olbrys thanked everyone for their love and support as she is truly honored to have worked for the Township for all of these years. She went on to say that she is so privileged with the quality of care that the EMS professionals give today, as well as all of the care given across the board by all of the professionals within the Township. She invited her daughters Diane and Donna to come forward and thanked them both for the sacrifices they have made as well since she spent most of their formative years out of the home building the EMS from the ground up, adding that Donna has created her own success in Virginia as both a paramedic and paramedic instructor and Diane, as obvious by her uniform, is a powerhouse for our EMS, as no one knows more about that department than her. Judy went on to introduce Richard Morris as the new

Director and shared that he will continue the successes of the EMS Department and will lead the Township through. Judy went on to thank the Mayor and Council of the Township for the recognition given to her as it has been overwhelming and appreciated, giving a special shout out to Eileen Biennas for being the glue of the Township in all of her work with the EMS Department as well.

Council shared their admiration, love and appreciation to Judy for all she has done for the Township and wished her all the best in her retirement.

A five-minute recess was taken with the meeting resuming at 7:00pm.

Council President Cohen read aloud, by title, the following proclamations:

Proclamation: Childhood Cancer Awareness Month – Go Gold – September 2023

Proclamation: Sepsis Awareness Month – September 2023

Proclamation: Balance Awareness Week – Vestibular Disorder – September 17-23, 2023

Township Clerk Patricia Reid read the following entitled **ORDINANCES** for **SECOND READING** at the **WEDNESDAY, SEPTEMBER 6, 2023** Regular Council Meeting:

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

Public Comments:

Joellen Arrabito, 22-O Rossmoor Dr. – Ms. Arrabito asked in regard to the charging station to be implemented, how much usage do the ones at the library get; Administrator Weinberg answered that they always seem to be full as electric vehicles are becoming more and more popular. Ms. Arrabito asked regarding the \$24,000 grant if there were soft costs to be expended as well; Administrator Weinberg answered that once approved we will go out to bid and the full project should be covered, including both hard and soft costs. He went on to explain that we will make sure that we cover our costs, but the fee to use the charging stations will be reasonable as we are looking at what other towns’ fee structures are.

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

UPON MOTION made by Council Vice-President Van Dzura and seconded by Councilwoman Siegel, the Agenda Meeting was Adjourned at 7:10pm.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

UPON MOTION made by Council Vice-President Van Dzura and seconded by Councilman Dipierro, the Regular Meeting was Called to Order at 7:10pm.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

UPON MOTION made by Council Vice-President Van Dzura and seconded by Councilwoman Siegel, the **CLAIMS** per run date of **8/31/2022** were approved for payment as written and presented.

ROLL CALL:	Councilman Charles Dipierro	Abstain
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Abstain

UPON MOTION made by Councilman Dipierro and seconded by Council Vice-President Van Dzura the **MINUTES** of the **August 7, 2023 Agenda and Regular Combined Meeting** were approved as written And presented.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

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

O-8-2023-023 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ASSUME AN ACCESS EASEMENT TO LOT 21.04 ON LOT 21.02, BLOCK 60, ACCEPT THE DEDICATION OF LOTS 21.17 AND 21.18, IN BLOCK 60 FOR STORMWATER MANAGEMENT PURPOSES, AND ACCEPT DEEDS OF CONVEYANCE OF DRAINAGE AND ACCESS EASEMENTS FOR LOTS 21.17 AND 21.18 IN BLOCK 60. (Majestic Woods Drive)

WHEREAS, Robert and Dorene McDaid applied for a Minor Subdivision with bulk variances for property identified as Block 60, Lot 21.15, also known as Majestic Woods Drive; and

WHEREAS, the Planning Board granted approval with the condition that an Access Easement be recorded and then conveyed to the Township of Monroe, as well as the condition that two of the three subdivided lots, Lots 21.17 and 21.18 in Block 60, contain stormwater basins, be dedicated to the Township of Monroe; and

WHEREAS, Robert and Dorene McDaid recorded a Deed of Access Easement on November 21, 2013 in the Deed Book OR-6521, Pages 136, also known as Instrument Number 201311210133; and

WHEREAS, pursuant to N.J.S.A. 40A:12-4(a) of the Local Lands and Buildings Law, a municipality is authorized to acquire any real property, or interests therein including easements, by duly adopted ordinance; and

WHEREAS, the Township of Monroe agrees to accept the Assignment and Assumption of Access Easement attached hereto as Exhibit "A"; and

WHEREAS, the Township of Monroe agrees to accept the Deed of Conveyance of Stormwater Lots attached hereto as Exhibit "B"; and

WHEREAS, Robert and Dorene McDaid have also prepared a Deed of Conveyance of Drainage and Access Easement for Lot 21.17 in Block 60 and a Deed of Conveyance of Drainage and Access Easement for Lot 21.18 in Block 60 for the purpose of conveying any remaining interest Robert and Dorene McDaid may have in existing drainage and access easements on said parcels. The Township of Monroe agrees to accept Deeds of Conveyance for said purpose.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Monroe as follows:

1. The Township of Monroe shall accept, execute, and record the Assignment and Assumption of Access Easement attached hereto as Exhibit "A".
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to execute the Access Easement.
3. The Township of Monroe shall accept the Deed of Conveyance of Stormwater Lots attached hereto as Exhibit "B"
4. The Township of Monroe shall accept, execute and record a Deed of Conveyance of Drainage and Access Easement for Lot 21.17 in Block 60 and a Deed of Conveyance of Drainage and Access Easement for Lot 21.18 in Block 60, subject to the review of the Township Attorney, for the purpose of conveying any remaining interest Robert and Dorene McDaid may have existing drainage and access easements on Lots 21.17 and 21.18 in Block 60.
5. The Mayor and Township Clerk are hereby authorized to sign, witness and execute any documents necessary to acquire the interests in the Property, subject to review by the Township Attorney.

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

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

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

SO ORDAINED, as aforesaid.

UPON MOTION made by Council Vice-President Van Dzura and seconded by Councilwoman Siegel, the **PUBLIC HEARING for Ordinance O-8-2023-023** was **opened**. All were in favor, none opposed.

PUBLIC COMMENT:

No Public Comment.

UPON MOTION made by Councilman Dipierro and seconded by Councilman Markel, the **PUBLIC HEARING for Ordinance O-8-2023-023** was **closed**. All were in favor, none opposed.

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

O-8-2023-023 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ASSUME AN ACCESS EASEMENT TO LOT 21.04 ON LOT 21.02, BLOCK 60, ACCEPT THE DEDICATION OF LOTS 21.17 AND 21.18, IN BLOCK 60 FOR STORMWATER MANAGEMENT PURPOSES, AND ACCEPT DEEDS OF CONVEYANCE OF DRAINAGE AND ACCESS EASEMENTS FOR LOTS 21.17 AND 21.18 IN BLOCK 60.
(Majestic Woods Drive)

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.

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

O-9-2023-024 ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT 400 SPOTSWOOD GRAVEL HILL ROAD KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP.

ROLL CALL:	Councilman Charles Dipierro	Abstain
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.

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

O-9-2023-025 ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “TOWING AND STORING OF VEHICLES”.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Council Vice-President Van Dzura and seconded by Councilwoman Siegel, the following Resolutions were moved for Adoption under the **CONSENT AGENDA:** (R-9-2023-209– R-9-2023-222)

R-9-2023-209 RESOLUTION AUTHORIZING THE RELEASE OF THE REHABILITATED AFFORDABLE HOUSING AGREEMENT AND LIEN ON BLOCK 169.10, LOT 3.

WHEREAS, on May 10, 2013, Jill Caraway (“Caraway”) entered into a Rehabilitated Affordable Housing Agreement with the Township of Monroe restricting Caraway from selling or conveying title to the property for a period of ten years pursuant to Monroe Ordinance 131-8 and N.J.S.A. 52:27D-301 et seq, said Agreement having been recorded with the Middlesex County Clerk on September 16, 2013, in Mortgage Book 15447 on Pages 0499-0511; and

WHEREAS, the Affordable Housing Lien states that “the terms, restrictions and covenants of this Agreement shall automatically expire ten (10) years from the date that the housing rehabilitation work was completed”; and

WHEREAS, the Monroe Township Affordable Housing Board advises of the successful completion of the Affordable Housing Lien and has consented to the termination of the Affordable Housing Lien annexed hereto as Exhibit “A”; and

NOW, THEREFORE, BE IT RESOLVED that the Affordable Housing Lien held by Caraway is hereby satisfied and the Mayor and Township Clerk are hereby authorized and directed to execute the Release of Rehabilitated Affordable Housing Agreement, annexed hereto as Exhibit “B”.

SO RESOLVED, as aforesaid.

**R-9-2023-210 RESOLUTION AUTHORIZING THE DISCHARGE OF
AFFORDABLE HOUSING LIEN GIVEN ON BLOCK 14, LOT 12.51
QUALIFIER C051.**

WHEREAS, on June 29, 2015, Dwarkanath Jhala and Jalpaben Jhala, husband and wife (“Jhala’s”) gave a recapture mortgage in accordance with the State’s Affordable Housing Program, to the Township of Monroe requiring the Jhala’s to pay the sum of \$13,000.00 to the Municipality upon the first non-exempt sale of their property having an address of 51 Casselberry Way, (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 27, 2015, in Mortgage Book 16065 on Page 601 *et seq.* (the “Jhala Affordable Housing Lien”); a copy of said mortgage is attached as Exhibit “A”; and

WHEREAS, on July 14, 2023, the Jhala’s sold the Property to Paige Intravaia, (“Intravaia”); Intravaia 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 Intravaia for the sum of \$202,794.00, said deed having been recorded with the Middlesex County Clerk on July 26, 2023 in Deed Book 19261, page 414 *et seq.*; a copy of said deed is attached as Exhibit “B”; and

WHEREAS, on July 14, 2023, Intravaia gave a recapture mortgage in accordance with the State’s Affordable Housing Program to the Township of Monroe requiring Intravaia to pay the sum of \$137,206.00 to the Municipality upon the first non-exempt sale of their property having an address of 51 Casselberry Way, as provided under the rules of the New Jersey Housing and Mortgage Finance Agency set forth in N.J.A.C. 5:80-26.5(c), said mortgage having been recorded with the Middlesex County Clerk on July 26, 2023 in Deed Book 19261, page 440 *et seq.*; a copy of said mortgage is attached as Exhibit “C”; and

WHEREAS, the Jhala’s 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, the Jhala’s sold the Property to Intravaia, and Intravaia executed a new affordable housing recapture mortgage in favor of the Township; accordingly, the Jhala’s 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-9-2023-211 RESOLUTION AUTHORIZING AMENDMENT #1 TO
CONTRACT NO. 504 “WATER & WASTEWATER
LABORATORY ANALYSIS SERVICES” WITH GARDEN STATE
LABORATORIES, INC. TO EXTEND THE TERMINATION
DATE ONE YEAR FOR THE MONROE TOWNSHIP UTILITY
DEPARTMENT (“M.T.U.D.”).
(per unit pricing)**

WHEREAS, the M.T.U.D. is currently under contract with Garden State Laboratories, Inc. for as laboratory analysis; and

WHEREAS, the current contract term expires on October 1, 2023, and the Monroe Township Utility Department has been very satisfied with the performance of Garden State Laboratories, Inc. over the prior two-year contract term; and

WHEREAS, Section 8. “Contract Award & Term Length” of the current contract Specifications, allows for (1) one final (1) one-year extension, with the agreement of the vendor; and

WHEREAS the Township Purchasing Manager has notified Garden State Labs, Inc. of the M.T.U.D.’s desire to extend said contract via a letter dated August 8,2023; and

WHEREAS, Garden State Labs, Inc. has indicated their acceptance of the amendment #1 and extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the M.T.U.D. Director, has determined that it is in the best interest of the Monroe Township Utility Department to extend the current contract for the final one-year term, with pricing as indicated for year 2 in the proposal section; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-210022 a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open-ended contract for Water and Wastewater Laboratory Analysis Services with Garden State Labs, Inc., based on the pricing set forth in the proposal section of the bid, for the (1) one-year extension term. The new termination date shall be October 1, 2024. The existing terms and conditions of the agreement shall remain unchanged.

SO RESOLVED, as aforesaid.

R-9-2023-212 RESOLUTION AUTHORIZING AMENDMENT #1 TO CONTRACT NO. 505 “SYSTEM REPAIR SERVICES” WITH J. FLETCHER CREAMER & SON INC. TO ENTEND THE TERMINATION DATE ONE YEAR FOR THE MONROE TOWNSHIP UTILITY DEPARMENT (“M.T.U.D.”). (per unit pricing)

WHEREAS, the M.T.U.D. is currently under contract with J. Fletcher Creamer & Son, Inc. for as laboratory analysis; and

WHEREAS, the current contract term expires on October 1, 2023, and the Monroe Township Utility Department has been very satisfied with the performance of J. Fletcher Creamer & Son, Inc. over the last two-year contract term; and

WHEREAS, Section 22. “Contract Term(s)” of the current contract Specifications, allows for (1) one final (12) twelve-month extension, with the agreement of the vendor; and

WHEREAS the Township Purchasing Manager has notified J. Fletcher Creamer & Son, Inc. of the M.T.U.D.’s desire to extend said contract via a letter dated August 16,2023; and

WHEREAS, J. Fletcher Creamer & Son, Inc. has indicated their acceptance of the amendment#1 and extension by signing and returning the above referenced letter, a copy of which is attached hereto as Exhibit “B”; and

WHEREAS, the M.T.U.D. Purchasing Agent after consultation with the M.T.U.D. Director, has determined that it is in the best interest of the Monroe Township Utility Department to extend the current contract for the final (12) twelve-month term, with pricing set forth in the bid’s Proposal Section; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the M.T.U.D.’s Township Chief Financial Officer has certified availability of funds in Certificate No. M-210020 a copy of which is attached hereto as Exhibit "A"; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, that it hereby authorizes and approves the M.T.U.D. extending its open-ended contract for System Repair Services with J. Fletcher Creamer & Son, Inc., based on the pricing set forth in the proposal section of the bid, for the (12) twelve-month extension term. The new termination date shall be October 1, 2024. The existing terms and conditions of the agreement shall remain unchanged.

SO RESOLVED, as aforesaid.

R-9-2023-213 RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO RAYBERN UTILITY SOLUTIONS LLC. FOR CONTRACT 523 “WATER METER COMMUNICATIONS MODULES” BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”). (\$194,978)

WHEREAS, on August 16, 2023 at 10:00 AM, one (1) sealed bid was received, publicly opened, and read aloud, by the Monroe Township Purchasing Manager for Contract 523, “Water Meter Communications Modules”, required by the M.T.U.D.; and

WHEREAS, Raybern Utility Solutions LLC has submitted the lowest responsible and responsive; and

WHEREAS, the Purchasing Manager. by copy of a letter dated August 18, 2023, has recommended that, a (1) one-year contract be awarded to Raybern Utility Solutions LLC of New Bedford, MA, based on unit pricing and estimated quantities (estimated annual total \$194,978.00), 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-230020 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.

WHEREAS, Raybern Utility Solutions LLC 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 (1) one-year contract Raybern Utility Solutions LLC in accordance with their submitted bid;

(2) The Township Chief Finance Officer is hereby authorized and directed to pay invoices for material delivered by Raybern Utility Solutions LLC 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 Raybern Utility Solutions LLC shall provide a properly executed performance bond and certificate of insurance as required by the specifications.

SO RESOLVED, as aforesaid.

R-9-2023-214 RESOLUTION AUTHORIZING GRANT AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURCHASE OF ELECTRIC VEHICLE CHARGING STATIONS.
(It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program - \$24,000)
(Locations of Charging Stations: Senior Center, Rec Center, Library)

WHEREAS, the governing body of Township of Monroe desires to further the public interest by obtaining a grant from the State of New Jersey in an amount not less than \$0.00 and not more than \$24,000.00 to fund the following project:

It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Monroe formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to submit a grant application identified as **EVLVL-2022-Township of Monroe-00759** to the New Jersey Department of Environmental Protection on behalf of the Township of Monroe.

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk are hereby authorized to sign the grant agreement and execute any amendments thereto, on behalf of the Township of Monroe and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

BE IT FURTHER RESOLVED, the Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

SO RESOLVED, as aforesaid.

R-9-2023-215 RESOLUTION AUTHORIZING THE AWARD OF THE MUNICIPAL BUILDING ROOF REPLACEMENT PROJECT TO LAUMAR ROOFING COMPANY, INC. USING THE BERGEN COUNTY (NJCPA) STATE APPROVED COOPERATIVE PURCHASING PROGRAM #CK04 FOR THE TOWNSHIP OF MONROE. (\$149,123.60)

WHEREAS, the Township of Monroe's municipal building's shingled roof is over 30 years old, and requires replacement; and

WHEREAS, the state approved NJCPA has awarded Contract #BC-BID-22-40 – "Roof Repair, Replacement and Maintenance" to Laumar Roofing Company, Inc.; and

WHEREAS, the Township of Monroe has been a member of the NJCPA since April of 2022; and

WHEREAS, Laumar Roofing Co. Inc. has submitted a proposal based on contract pricing for required work dated August 21, 2023 in the amount of \$149,123.60, a copy of which is attached hereto as Exhibit B; and

WHEREAS, it is required by law that any like commodity purchase which exceeds the bid threshold of the Township (\$44,000.00) in aggregate, be authorized by the governing body; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.4, the Township Chief Municipal Finance Officer has certified availability of funds in Certificate No. C-2300073 copy of which is attached hereto as Exhibit "A"; and

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

(1) Authorizes the Township to enter into a contract for the required roof replacement services with Laumar Roofing Company, Inc. based on the proposal provided, using the state approved Bergen County (NJCPA) Cooperative Purchasing Program #CK04; and

(2) The Township Chief Municipal Finance Officer is hereby authorized and directed to pay invoices for said services provided by Laumar Roofing Company, Inc.; and

(3) The contract is awarded through this Cooperative Purchasing Program is considered fair and open contract in accordance with the Local Public Contracts Law, as well as being exempt from public bidding by the Township.

(4) The award is subject to Laumar Roofing Co., Inc. providing a valid certificate of insurance naming the Township of Monroe additionally insured for this project.

SO RESOLVED, as aforesaid.

**R-9-2023-216 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 One Hundred Fifty-Five Thousand Two Hundred Forty-One dollars and Seventeen cents (\$155,241.17) for the amounts described on Schedule A and attached hereto; and

WHEREAS, good cause has been shown; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe in the County of Middlesex and State of New Jersey that the Township's Certified Municipal Finance Officer be and is hereby directed to draw a check from the General Account refunding the Tax overpayments described above to be distributed as set forth on the attached Schedule A:

SO RESOLVED, as aforesaid.

**R-9-2023-217 RESOLUTION APPOINTING ALTERNATE DEPUTY REGISTRAR
OF VITAL STATISTICS.**

WHEREAS, N.J.S.A. 26:8-13 requires that each municipality designate one of its officers as the Township Registrar of Vital Statistics, a Deputy Registrar, and, in addition, two (2) Alternate Deputy Registrars and a Sub Registrar of Vital Statistics;

WHEREAS, the term of office for these titles is three (3) years; and

WHEREAS, per Resolution No. R-12-2020-279, the Registrar, Deputy Registrar, Alternate Deputy Registrars and Sub Registrar were appointed for the Township of Monroe and these appointments expire on December 31, 2023; and

WHEREAS, new legislation amending N.J.S.A. 26:8-7 was adopted allowing municipalities to appoint more than two alternate deputy registrars should the local registrar determine the need; and

WHEREAS, the Monroe Township Registrar feels it necessary to appoint an additional alternate deputy registrar and requests the title of Alicia Gonzalez be amended from Sub Registrar to Alternate Deputy Registrar for the Township of Monroe effective immediately.

WHEREAS, the Township Council has reviewed and hereby approves the recommendation of the Township Registrar.

WHEREAS, the following appointment for the Monroe Township Office of Vital Statistics are as follow:

Registrar	Patricia Reid	Expiring 12/31/2023
Deputy Registrar	Christine Robbins	Expiring 12/31/2023
Alternate Deputy Registrar	Tanya Pannucci	Expiring 12/31/2023
Alternate Deputy Registrar	Lorena Thompson	Expiring 12/31/2023
Alternate Deputy Registrar	Alicia Gonzalez	Expiring 12/31/2023

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Monroe, in the County of Middlesex, that Alicia Gonzalez is hereby appointed as Alternate Deputy Registrar effective immediately and expiring on December 31, 2023.

R-9-2023-218 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 623.7a STRATFORD – PB-1084-10 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

WHEREAS, Stratford Developers, LLC has posted Performance Guarantees for Stratford section 7a (W&S 623.7a); and

WHEREAS, Stratford Developers, LLC has requested a 70% reduction in the Performance Guarantees posted for the project; and

WHEREAS, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated August 21, 2023, a copy of which is attached hereto as Exhibit "A":

Performance Bond #FP0023645 for residential water in the amount of \$309,420.00 to be reduced to \$92,826.00. Cash Performance Guarantee in the amount of \$34,380.00 for water to be reduced to \$10,314.00.

Performance Bond #FP0023646 for residential sewer in the amount of \$193,320.00 to be reduced to \$57,996.00. Cash Performance Guarantee in the amount of \$21,480.00 for sewer to be reduced to \$6,444.00.

WHEREAS, the Township Council has reviewed and hereby approves the MTUD Director's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantees posted for W&S 623.7a be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-9-2023-219 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR W-1113 – JAMESBURG MANOR LLC POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).

WHEREAS, Jamesburg Manor, LLC has posted Performance Guarantees for Jamesburg Manor (W&S 1113); and

WHEREAS, Jamesburg Manor, LLC has requested the release of the Performance Guarantees posted for the project; and

WHEREAS, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for the release of the bond, as detailed in a letter dated August 21, 2023, a copy of which is attached hereto as Exhibit "A":

Performance Bond #76111747 for residential water in the amount of \$24,408.00 to be released in full to the applicant. Cash Performance Guarantee for residential water in the amount of \$2,712.00 to be released in full to the applicant.

WHEREAS, the Township Council has reviewed and hereby approves the MTUD Director's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantees posted for W 1113 be released as reflected above and the MTUD letter annexed hereto. This approval for release of cash guarantee is conditioned upon the resolution of any outstanding balances attached to the project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-9-2023-220 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR W&S 1168-3 VILLAGES AT COUNTRY VIEW (AKA COUNTRYSIDE) - PB-1213-18 POSTED TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").

WHEREAS, K. Hovnanian at Villages at Country View, LLC has posted Performance Guarantees for Country View section 3 (W&S 1168-3); and

WHEREAS, K. Hovnanian at Villages at Country View, LLC has requested a 70% reduction in the Performance Guarantees posted for the project; and

WHEREAS, defined in 40:55d-53 et seq., the Monroe Township Utility Department (MTUD) has inspected the work performed and the work to be completed and has recommended that the Township Council approve the request for a 70% reduction in the bond, as detailed in a letter dated August 21, 2023, a copy of which is attached hereto as Exhibit "A":

Performance Bond #72BSBBF9348 for residential water in the amount of \$142,128.00 to be reduced to \$42,638.40. Cash Performance Guarantee in the amount of \$15,792.00 for water to be reduced to \$4,737.60.

Performance Bond #72BSBBF9347 for residential sewer in the amount of \$148,608.00 to be reduced to \$44,582.40. Cash Performance Guarantee in the amount of \$16,512.00 for sewer to be reduced to \$4,953.60.

WHEREAS, the Township Council has reviewed and hereby approves the MTUD Director's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Monroe, in the County of Middlesex and State of New Jersey that Performance Guarantees posted for W&S 1168-3 be reduced as reflected above and the MTUD letter annexed hereto. This approval for a 70% Reduction is conditioned upon the provision of replacement guarantees and/or riders and the resolution of any outstanding balances attached to project escrow accounts; and

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

SO RESOLVED, as aforesaid.

R-9-2023-221 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO REYNOLDS CONSTRUCTION FOR EMERGENCY REPAIRS OF FILTERS #7 AND #8 AT WELL 21 FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) (\$119,616)

WHEREAS, it was discovered that the Filter #7 and Filter #8 at Well 21 are in need of repair and replacement to allow for proper operation of Well 21 within the Township’s water distribution system; and

WHEREAS, *N.J.S.A. 40A:11-6* authorizes the award of a contract without public bidding, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Director of the Utility Department has indicated via correspondence dated August 11, 2023 that the replacement and repair of Filter #7 and Filter #8 without delay is essential, so as to protect the public health, safety and welfare of the residents of Monroe Township, a copy of which is attached as Exhibit A; and

WHEREAS, the Utility Department has solicited 3 proposals to furnish and install Filter #7 and Filter #8, the lowest of which being Reynolds Construction who has submitted a proposal dated 8-2-2023 to repair and replace Filter #7 and Filter #8 at Well 21 for the amount of **\$119,616.00**, a copy of which is attached as Exhibit B; and

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

(1) The Township Council of the Township of Monroe hereby authorize the emergency contract with Reynolds Construction., *nunc pro tunc*; for the emergency repair and replacement of Filter #7 and Filter #8 at Well 21; and

(2) The Certified Municipal Finance Officer is hereby authorized and directed to pay invoices for services rendered by Reynolds Construction in an amount not to exceed **\$119,616.00** in accordance with their proposal;

(3) The contract is awarded without competitive bidding as an “emergency contract” in accordance with *N.J.S.A. 40A:11-6* to meet the immediate needs of the emergency caused by the failure of Filter #7 and Filter #8 at Well 21.

SO RESOLVED, as aforesaid.

R-9-2023-222 RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE AND BERM AND LANDSCAPING GUARANTEE UPON THE ACCEPTANCE OF MAINTENANCE GUARANTEES, POSTED FOR REGENCY AT MONROE – PHASE 10 – PB-1151-14.

WHEREAS, Toll NJ II, L.P. has posted a Performance Guarantee for Regency at Monroe Phase 10 - PB-1151-14; and

WHEREAS, in conformance with the provisions of the NJ State Municipal Land Use Law relative to project performance guarantees (*N.J.S.A 40:55D-53*), it is the recommendation of the Township Engineer that the Township Council release this project’s **Performance Guarantee** upon the posting of a maintenance guarantee in the amount of **\$294,396.44**; and

WHEREAS, Toll NJ II, L.P. has posted a Berm and Landscaping Guarantee for the Regency at Monroe – Phase 10 - PB-1151-14; and

WHEREAS, in conformance with the provisions of the NJ State Municipal Land Use Law relative to project performance guarantees (*N.J.S.A 40:55D-53*), it is the recommendation of the Township Engineer that the Township Council release this project’s **Berm and Landscaping Guarantee** upon the posting of a maintenance guarantee in the amount of **\$86,171.98**; 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 Guarantee and the Berm and Landscaping Guarantee posted for Regency at Monroe – Phase 10 - PB-1151-14, be released as reflected in the Township Engineer’s letters dated August 28, 2023, attached hereto.

BE IT FURTHER RESOLVED, the approval for release of the Performance Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$294,396.44** and approval for release of the Berm and Landscaping Guarantee is conditioned upon the posting of a maintenance guarantee in the amount of **\$86,171.98**. Such maintenance guarantees shall run for a period of not less than two years from the date of memorialization of such action by the Council.

BE IT FURTHER RESOLVED, in accordance with the Monroe Township Code, the developer shall maintain funds in the engineering inspection escrow account in the amount of fifty percent (50%) of the original deposit, however the Township Engineer's office recommends for the **Performance Bond guarantee, the developer post \$15,000** and for the **Berm and Landscaping guarantee, the developer post \$5,000** at this time, into the existing engineering inspection escrow accounts, which is more reasonable. Performance guarantees shall not be released until the escrow accounts are brought up to date as noted.

SO RESOLVED, as aforesaid.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

Copy of Resolutions Duly Filed.

Administrator's Report – Administrator Weinberg extended condolences to the family of retired Monroe Township Police Department Lieutenant and current evidence clerk Kenny Gross who passed away suddenly in his home and dedicated almost five decades to our Township, as well as former Mayor of Monroe Township and Senator, Peter Garibaldi who served as Mayor for 12 years.

Thanked Judy Olbrys for her dedication to the Township as she is a true maverick, and it has been amazing to see what her and her team built for our Township with the EMS Department as they are one of the most professional and talented team in the State.

Extended appreciation to all of our DPW, Parks Department, MTUD and all of our employees who work outside in this heat to get the job done. We truly appreciate them.

Highlighted that we have the 2nd overall lowest tax rate in Middlesex County, as well as an AA+ bond rating.

Corrected the misconception that has been on social media regarding the veteran's housing project, stating that 37 units are exclusively for veterans with the additional 43 units being veterans' preference. He went on to explain that these affordable units are similar to the other affordable housing developments within the Township where working-class residents reside.

Reminded everyone that the 9/11 Remembrance Ceremony will be held beginning at 8:30am at Veteran's Park.

The Green Fair will be held on September 23rd at the high school which will include a shredding truck, free tree saplings, as well as recycling materials and informational booths for all to enjoy.

Wished all who celebrate a meaningful Rosh Hashana and Yom Kippur.

Reminded all to drive carefully as school is back in session.

Engineer's Report – Engineer Rasimowicz shared that the Old Bridge-Englishtown Road and Mounts Mills Road Traffic Signal & Intersection Improvements Project should begin in approximately 2 weeks.

Reported that the Joan Warren Way Intersection Improvements are moving forward as the County and the traffic engineer are working out final details and he hopes to have an update at the next Council meeting.

The 2023 Roadway Improvement Project is mostly finished and striped with two areas remaining, the EMS and the Municipal Building lots which are set to be done within the next week or two.

The volleyball courts at Veteran's Park are almost complete with the project then moving onto completing the same at Patriots Park.

Reported that the reconstruction work on Spotswood-Gravel Hill Road has begun with the concrete work being completed and the sidewalks being poured next week.

Reported that the Spotswood-Englishtown Road Drainage Improvement Project is set to begin next week and should wrap up within a month.

Stated that we will be going out to bid for the Concrete Improvements and Emergency Services Building Site Improvements with anticipated award at the next Council meeting.

Lastly, Engineer Rasimowicz reported that New Jersey American Water is wrapping up work being done at night on Buckelew Avenue which is expected to be completed in a week.

Council's Reports –

Councilwoman Siegel –

- Extended condolences to the Gross and Garibaldi families.
- Announced that the Historical Preservation Commission's Vintage Baseball game will be held on September 9th from 12:00pm – 3:30pm at Dey Farm. There will be an opportunity to not only watch the baseball game but tour the houses, as well as participate in a slew of other fun activities.
- The Cultural Arts Commission will be hosting "ArtragiouS" on October 15th at the Performing Arts Center. The Commission also hosts and presents different programs at the Library with more information to be found on their website if interested.
- The Environmental Commission will be hosting their Green Fair on September 23rd at the high school; there will also be a contest for students to participate in around the theme "Small Changes Big Impact".
- The Elizabeth "Betty" Schneider food pantry dedication will be held tomorrow, September 7th at the Senior Center.
- Encouraged the public to attend the Remembrance Ceremony on September 11th at Veteran's Park beginning at 8:30am.

Councilman Markel –

- Shared that on September 11th he lived approximately 25 miles from Manhattan and knew many of the families who lost loved ones, so it is very important to remember what happened and commemorate the many lives lost.
- Spoke of the significance in dedicating the food pantry to Betty Schneider, as in his short time in Monroe she was not only his neighbor, but a treasured friend and he thinks of her often as he represents this community.

Councilman Dipierro –

- Stated that at the last meeting a resident brought up that four wheelers were being driven down Texas Road and he went out to look and saw mud all over the roadways and was wondering if there was an update; Administrator Weinberg answered that he has brought this concern up to Chief Biennas and the challenge is the four wheelers are often in the woods where it is hard for the police to patrol. With that said, he stated that our police department does hold them accountable when they can and are aware of the issue so that if they do come out onto municipal roadways we can address. Councilman Dipierro stated that maybe signage or blockades can be placed on River Road near the "Welcome to Monroe" sign in that area to deter them from riding.
- Regarding September 11th, shared that this is very close to all of us. He also shared that he and his brother built Veteran's Park and it is very important that everyone attends. Councilman Dipierro asked if there would be shuttles running; Administrator Weinberg answered that there has not been an issue with parking on Prospect Plains Road to which Councilman Dipierro stated that he would like to see shuttles running from the municipal building to Veteran's Park, if possible, to ensure all who want to attend can.
- Gave a shout out to the DPW who worked so hard to get the drainage work done as it is an amazing "in house" project that was completed by our staff, including the Director down to the landscapers.
- Mentioned that there was a union meeting where a Union Representative blamed him for not signing off on the union contracts, which is very far from the truth and needs to be corrected. He went on to explain that the Council unanimously approved the Contract MOA's and he is not responsible for signing any Township documents, the Mayor is.
- Reminded everyone that on September 23rd is the Green Fair at the high school.
- Asked Director Stroin for an update on the water main relocation at Old Bridge Englishtown Road and if there is a timeframe that can be shared; Director Stroin answered that within the next 2 weeks the project should begin as it is a dynamic undertaking with essentially three separate activities occurring at the same time – the traffic light improvements, installation of an improved storm sewer network and the water main relocation. He went on to say that a preconstruction meeting is scheduled for next Thursday with all professionals involved to discuss the scheduling and

coordination of activities to avoid conflicts and to ensure that the job is done effectively with minimal disruption. He stated that the hope is for this all to be completed by the end of October or early November. Councilman Dipierro asked if there will be any water services connected to this new main; Director Stroin stated that all existing water services will be moved to the new main with all residents being notified and the disruption being minimal of an hour or so. Councilman Dipierro thanked Director Stroin for always doing a great job.

- Gave a shout out to Township Engineer Rasimowicz and Center State Engineering for their work in getting the 2023 Roadway Improvements Project completed as it came out very well and it is a pleasure driving in the areas that have been paved.
- Extended condolences to the Gross and Garibaldi families for their losses as he knew both Kenny and Peter very well and thanked them for their work in the community.
- Wished all the teachers, staff and students a safe school year.
- Questioned what the plans are for housing migrants here in the Township as he has seen on the news talks of housing them in Atlantic City; Administrator Weinberg clarified that he believes the Governor stated that there are no plans for migrants to come here to New Jersey as we are not in a position to handle any influx. He went on to state that he does not believe that anyone will come here but there are many organizations for assistance if they should.
- Extended thanks to the Post Office for their efforts in cleaning the landscape and removing the dead trees and replacing them with new.
- Asked for an update on the server; Administrator Weinberg answered that he has reached out to the Board of Education and hopes to hear back from them so we can work together in moving forward and getting this issue resolved.
- Mentioned that he went to Farmer Al's, and they were concerned and upset that those traveling in the area are unaware that even though road work is being done and the road is closed, the businesses are still open. He suggested that when the roadway is closed the Township post signs letting those know that the businesses are still open, adding that this is very important so businesses are not impacted negatively because those traveling do not know whether or not they are open, or not when the roadways are closed or being worked on.

Council Vice-President Van Dzura –

- Extended condolences to the families of retired Lieutenant Kenny Gross and former Mayor/Senator Peter Garibaldi.
- Shared that the official dedication of the Elizabeth “Betty” Schneider food pantry will take place tomorrow, September 7th at 6:00pm at the Senior Center. He went on to share items of necessity and added that they must be new and unexpired.
- The Township's September 11th Memorial Service will take place beginning at 8:46am at Veteran's Park; he went on to share the importance of remembering and joining together as a community to commemorate the lives lost.
- The last few weeks of the Farmer's Market is here with the market's last day of the season taking place on September 14th.
- Attended the senior's softball “Play for Pink” event last weekend which was very impressive to watch. Also commented how wonderful all our fields are throughout the Township and thanked the Parks & Recreation Department for their hard work in keeping those fields beautiful.
- Noted that the War in Ukraine continues and mentioned that Kim Jong Un will be meeting with Vladimir Putin to discuss the exchanging of weapons and asked for all to keep the people of Ukraine in your thoughts and prayers.

Council President Cohen –

- As a result of the September 11th attacks, Council President Cohen shared that she spent six years working on disaster preparedness for community development centers throughout the State of New Jersey, most notably in areas such as Jersey City, where they had received many evacuees of the terrorist attack. She went on to explain during that time the professionals of those centers would advise of the conditions people were arriving in and she would then help plan what was needed to have on hand to help those in need. In sharing that memory, she went on to say how important it is to commemorate and remember those whose lives have been forever changed.
- Regarding the food bank dedication for Betty, she stated that several friends who volunteer at local food banks shared that putting together an easy to cook meal for children is always appreciated, as sometimes they are left to make their own meals due to their parent's schedules. With that said she invited all to attend and bring donations in memory of Betty as she was exceptionally passionate about making sure no one went to bed hungry.

Mayor's Report – No Report, Absent.

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

Public Comments –

George Gunkelman, 5 Kelly Ct. – Mr. Gunkelman commented regarding the issues with ATV’s on Texas Road stating that it seems a new ordinance needs to be considered as South Brunswick has in their ordinance that the vehicles will be impounded and stated a period of time in which they would be held, which effectively stopped the issues they were having with ATV’s being driven on a warehouse site, and may be something that our Township would want to consider doing as well.

Joellen Arrabito, 22-O Rossmoor Dr. – Ms. Arrabito stated that she is concerned with the possibility of migrants coming into New Jersey as we are a sanctuary state and asked what the Township is doing to prepare in case they are bused in with no notice. Council President Cohen responded that the Governor has stated there are no plans to take migrants in at this time with Administrator Weinberg added that this is a Federal and Regional issue with those entities looking in areas that are not populated and Governor Murphy confirmed that there was no plans for this at this time and the planning for these types of endeavors will come from the Federal, Regional and State levels and should not be expected for each municipality to figure out. Council Vice-President Van Dzura asked Ms. Arrabito what her suggestions were, adding that as a Township we have to make a determination as to where our resources are used and this is so unlikely to happen here, but if it did we would handle it. He went on to say that he does not believe this to be a Monroe Township problem, adding that we should not forget that some migrants were invited into the country by the Governor of Florida who promised they would be set up with jobs; Ms. Arrabito countered stating that it was actually Mayor Adams who invited them in.

Rachel Davis & Anne Price, 4 East River Rd. Rumson – Ms. Davis introduced herself as policy director for “Water Spirit”, a non-profit advocacy program, that educates on stormwater utility expiration, renewable energy, environmental justice and green infrastructure. She went on to share her concerns with a ‘dirty gas’ project that is being unnecessarily proposed in Woodbridge which will essentially affect not only the Raritan River which is in its vicinity but over 70 schools as well, adding that although it is over 14 miles away, air and water know no bounds. Ms. Davis went on to ask for the Township to consider a resolution opposing projects like this as we need to stop exacerbating climate chaos. Council President Cohen thanked Ms. Davis for the information and stated that she hopes to see her and “Water Spirit” at the Green Fair.

Ms. Price introduced herself as the Program Manager for “Water Spirit”, as well as a Monroe Township resident for over 26 years. She went on to explain that this is a moral issue as Woodbridge is proposing a gas-powered plant, which is not only concerning as to the effect it will have on our climate crisis. Ms. Price commented that she fears the increased power demands being used opposed to the use of renewable, environmentally friendly energy will continue its negative impact. Ms. Price asked for the Council to consider a resolution of opposition and thanked them for their time.

Pat Schwalje, 586A Madison Dr. – Ms. Schwalje commented that she is in support of Councilman Dipierro’s request to have proper signage up when roads are closed so those traveling know that the local businesses affected by that closure are open.

Ms. Schwalje commented that if it comes to a point where we have to take in migrants, she has a room and a bathroom available, as we as Americans say we are the greatest nation, but we need to show it and honor it as we need immigrant labor in our country.

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

UPON MOTION made by Councilwoman Siegel and seconded by Councilman Dipierro, the Regular Meeting was Adjourned at 8:10pm.

ROLL CALL:	Councilman Charles Dipierro	Aye
	Councilman Michael A. Markel	Aye
	Councilwoman Rupa P. Siegel	Aye
	Council Vice-President Terence Van Dzura	Aye
	Council President Miriam Cohen	Aye

Patricia Reid

PATRICIA REID, Township Clerk

Miriam Cohen

MIRIAM COHEN, Council President

Minutes were adopted on October 2, 2023.