

RECORD AND RETURN TO:
HUESTON MCNULTY, P.C
256 Columbia Turnpike, Ste. 207
Florham Park, New Jersey 07932

DocuSigned by:
Prepared by: Samuel J. McNulty
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Samuel J. McNulty, Esq.

RESOLUTION

No. ___-23

**STONEBRIDGE COMMUNITY ASSOCIATION, INC.
(In Support of Amendment of Monroe Township Zoning Ordinance Requiring 24/7
Registered Nurse Staffing)**

WHEREAS, by a Declaration of Covenants, Easements and Restrictions dated September 7, 2006 (the "Declaration") and recorded on September 11, 2006 in the Office of the Middlesex County Clerk in Deed Book 05717 at Page 702 et seq., STONEBRIDGE (the "Property") and STONEBRIDGE COMMUNITY ASSOCIATION, INC. (the "Association") were established; and

WHEREAS, capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Declaration; and

WHEREAS, the Governing Documents empower the Association's Board with all powers as well as duties necessary for the proper conduct and administration of the affairs of the Association and the operation and maintenance of the Common Property and to do or cause to be done all such other lawful acts and things as are permitted by the Governing Documents and by law; and

WHEREAS, the Board, pursuant to the Bylaws, is charged with evaluating and determining the services to be made available to the members of the Association consistent with their business judgment and the Governing Documents, and;

WHEREAS, the Zoning Ordinances of the Township for the PRC-2 Planned Retirement Community, District 2 (the "Ordinance") currently requires, among other listed "recreational" uses, that a medical facility shall be provided; and

WHEREAS, the Ordinance provides that "Minimally, the medical facility shall be equipped with instruments and equipment necessary for responding to emergency situations and for those duties routinely performed by a registered nurse" and "If the PRC-2 development consists of six hundred (600) or more residential units, there shall be a medical facility on the premises staffed by a registered nurse on a twenty-four (24) hour per day basis, with staffing to commence upon the issuance of the one hundred and fiftieth (150) certificate of occupancy"; and

WHEREAS, the Association is the only senior community in the Township that is subject to the foregoing provisions; and

WHEREAS, the Ordinance was adopted in 2002 at a time when the Township had limited emergency services and, given the current availability of nursing, urgent care and other health care practices which are readily available to the members of the Association there is no longer a rationale for the Ordinance to

the extent that it relates to a medical facility. For instance, since 2020 the Hackensack Meridian Urgent Care-Monroe facility was established in the Gables Plaza located across Federal Road from the Property; additionally, Carbon Health Urgent Care of Monroe is located on Applegarth Road, less than 2 miles away. The Monroe Township Fire District #2 was established across Applegarth Road and now many medical plans, including Medicare, provide telehealth services, annual in-home nurse's visits for screening for health care concerns, and services largely duplicative of the services provided by a 24/7 registered nurse at the Property; and

WHEREAS, the cost of maintaining a 24/7 registered nurse and nursing center is currently \$415,210.89 per year, which is a mandatory cost of approximately \$439 per household per year for the members of the Association, paid through the Association's monthly maintenance fees, and this amount represents an inequitable burden on the Association's members in that neighboring senior communities are not mandated to provide this service; and

WHEREAS, in the event of an emergency, the services of a registered nurse do not replace those of the Township's Emergency Medical Services; and

WHEREAS, it is only the Association that is required to maintain a 24/7 registered nurse facility, as the other senior communities within the Township do not fall within the PRC-2 zone

or if they do, do not have 600 or more residential units, and many members of the Association have voiced to the Association the inequity of the mandate that only the Association is required to have a 24/7 registered nursing service and their wish, in view of the financial burden of maintaining such service, that they should be given the same option as the other senior communities within the Township to choose for themselves as to whether to maintain a 24/7 registered nurse facility; and

WHEREAS, the Association desires to have the Ordinance amended as set forth below so as to eliminate this mandate and to be subject to the same reduced requirements available to the other senior communities within the Township.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board hereby requests the Township and its Council to amend §108-6.23(D)(1)(b)(6) of Chapter 108 of the Monroe Township Land Development Ordinances relative to the PRC-2 zone to read as follows: "Medical facilities. There shall be sufficient building space to adequately allow for the provision of all medical facilities for retirement communities as required by any applicable federal, state or local regulations. There shall also be provided conveniently located on-site loading space and accessways for use by emergency vehicles."

2. If the Township and its Council adopt the foregoing amendment, the Association will not eliminate, reduce or modify the current level of nursing services available to its members

without the affirmative vote to do so of two-thirds of its members in good standing.

3. The Board directs the Association's community manager to forward copies of this resolution to the Township Clerk.

IN WITNESS WHEREOF, the Association has duly enacted this Resolution this 19th day of April 2023.

STONEBRIDGE COMMUNITY ASSOCIATION, INC.

DocuSigned by:
Richard Lasker
By: 4CF6E2DC26BB4D7...
RICHARD LASKER, President

STONEBRIDGE COMMUNITY ASSOCIATION, INC.

Resolution Type: Policy No.

Regarding: In Support of Amendment of the Zoning Ordinance Requiring Staffing of a Registered Nurse

Duly adopted at a meeting of the Board of Directors of Stonebridge Community Association, Inc., held on this 19th day of April 2023.

<u>Directors:</u>	<u>Vote:</u>			
_____	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Richard Lasker, Pres. _____	X	_____	_____	_____
Michael Berezein, VP _____	X	_____	_____	_____
Fred Rucci, Treasurer _____	X	_____	_____	_____
Ava Baron, Secretary _____	X	_____	_____	_____
Jerry Mirelli, Director _____	X	_____	_____	_____

Attest:
DocuSigned by:
Ava Baron
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 Ava Baron, Secretary

4-19-23
 Date

File:
 Book of Minutes - 2023.
 Book of Resolutions - 2023.

Resolution Effective: April 19, 2023.

