

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - - SEPTEMBER 3, 2014

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

The Regular Meeting was Called to Order at 7:00 p.m. by Council President Gerald W. Tamburro who asked everyone to stand and join him in a Salute to the Flag.

UPON ROLL CALL by the Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider and Council President Gerald W. Tamburro.

ALSO PRESENT for Council were Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Engineer Mark Rasimowicz.

ABSENT: Mayor Richard Pucci

There were approximately ninety (90) members of the Public present in the audience.

Council President Tamburro 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 of this meeting has been provided by the following:

1. Posted on January 3, 2014 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 3, 2014;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

Council President Tamburro introduced Police Chief Michael Lloyd who gave a brief biography on each of the seven (7) Police Officers being officially sworn-in this evening.

Each Officer was called upon individually and the Oath of Office administered by the Township Clerk as follows:

Officer Dale DeGraw – Bible held by his mother Sandra

Officer Stephen Dzema – Bible held by his mother Lynn

Officer Robert Maritz, III – Bible held by his mother Marion

Officer Jeffrey Paglio – Bible held by his father Mike

Officer Trevon Robinson – Bible held by his wife Emily

Officer Brian Taylor, Jr. – Bible held by his father Brian, Sr., a retired Lieutenant with the Monroe Township Police Department

Officer Robert Seiden – Bible held by his mother Cathy

All of Council Members offered comments and their congratulations.

A fifteen (15) minute recess was taken at 7:25PM and meeting was reconvened at 7:40PM.

Council President Tamburro introduced Michael Barnes, Director of the Monroe Township Utility Department, who introduced Boy Scout Troop 60 who worked on the painting of fire hydrants throughout the town as a community service project.

A Certificate of Appreciation was presented to Boy Scout Troop 60 by Councilman Dalina and MTUD Director Barnes in recognition of their Community Service project.

A five (5) minute recess was taken for pictures.

The following Proclamations of Mayor Richard Pucci were read into the record:

OVARIAN CANCER AWARENESS MONTH

September

"NOT IN OUR TOWN"

SOLIDARITY AGAINST ACTS OF INTOLERANCE

September 2014

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, the **CLAIMS** per run date of **8/22/2014** were approved for payment as presented.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Aye
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilman Dalina and seconded Councilman Leibowitz, the **Minutes** of the **June 7, 2014 Regular Meeting** and the **July 28, 2014 Agenda Meeting** were approved as written and presented.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Aye
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilwoman Schneider and seconded Councilman Dalina, the **Minutes** of the **August 4, 2014 Regular Meeting** were approved as written and presented.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Abstained
	Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second read for final passage: **A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2014 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$823,100, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ORDINANCE as follows: (O-9-2014-016)

WHEREAS, the Middlesex County Improvement Authority (the "Authority") is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, Chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the "County Improvement Authorities Law"), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2014 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2014 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Loan and Security Agreement (the "Loan Agreement"), to be entered into by and between the Authority and the Municipality, which Loan Agreement has been approved by the Authority and which is attached hereto as Exhibit A, providing for the financing of various capital improvements and the acquisition and installation of certain capital equipment through the Authority, which improvements and items of equipment are described in Exhibit B attached hereto and incorporated by this reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Loan Agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$830,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$830,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$830,000 pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law").

(c) The general capital improvements hereby authorized and the purposes for which the above-described loan is authorized are the various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto.

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$830,000.

(e) The estimated cost of said general capital improvements or purposes is \$823,100, with a not to exceed amount of \$830,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 3. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Loan Agreement authorized by this ordinance, including without limitation, (i) all Basic Loan Payments and Loan Payments obligations of the Municipality under the Loan Agreement, including Authority Administrative Expenses and Additional Loan Payments, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Loan Agreement pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Loan Agreement and the County Guarantee ((i), (ii) and (iii) collectively, the "Loan Payment Obligation"). The Loan Payment Obligation under the Loan Agreement shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Loan Payment Obligation thereunder without limitation as to rate or amount.

An Authorized Municipal Representative (as defined in the Loan Agreement) is hereby authorized and directed to execute the Loan Agreement on behalf of the Municipality in the form as attached hereto in Exhibit A, along with any of the aforesaid necessary changes, and the Clerk of the Municipality is hereby authorized to attest to such signature and affix the seal of the Municipality thereto and the Loan Agreement is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Loan Agreement.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The maximum Loan Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority, shall not exceed the sum necessary to (a) undertake the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and described in Exhibit B, (b) pay interest on the Authority's Bonds allocated to the Municipality's various capital improvements and items of equipment, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Loan Payments, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Loan Agreement, as and if applicable.

(b) The Bonds shall mature no later than ten (10) years from the date of issue.

(c) The Loan Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Loan Agreement have been satisfied, notwithstanding the occurrence of any other event.

(d) The various capital improvements and items of equipment described in Exhibit B attached hereto are hereby approved to be undertaken and financed through the Authority in accordance with the terms of the Loan Agreement, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed ten (10) years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$830,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$250,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the various capital improvements and items of equipment described in Exhibit B attached hereto.

Section 5. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Loan Agreement. The Mayor, Clerk, Chief Financial Officer or any other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Preliminary and Final Official Statements of the Authority to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 6. The Mayor, Clerk, Chief Financial Officer of the Municipality or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Loan Agreement, the undertaking of the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality and all related transactions contemplated by this ordinance.

Section 7. Upon the payment of all amounts referenced in Section 4(c) herein, the full faith and credit pledge of the Municipality as to its Loan Payment Obligation authorized herein shall cease to exist.

Section 8. The capital budget of the Municipality is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file with the Clerk of the Municipality and is available for public inspection.

Section 9. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. The Municipality reasonably expects to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance and paid prior to the entering into of the loan authorized by this loan ordinance with the proceeds of such loan. This Section 10 is intended to be and hereby is a declaration of the Municipality's official intent to reimburse any expenditures toward the costs of the various capital improvements and items of equipment described in Exhibit B attached to this loan ordinance to be incurred and paid prior to entering into of the loan authorized herein all in accordance with the Internal Revenue Code of 1986, as amended (the "Code") and any regulations promulgated thereunder.

Section 11. The Clerk of the Municipality is hereby authorized and directed to cause the publication of the text of this ordinance in full or in summary after introduction and final adoption in accordance with applicable law and to arrange for the public hearing thereon and final adoption thereof.

Section 12. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council discussion of this discussion.

Hy Grossman, 15 Doral Drive - asked why there are two separate Ordinances. (Items #11 & 12)

Administrator Hamilton explained the need for the two separate Ordinances i.e. Loan and Security Agreement and Lease and Agreement and further explained the difference between the two.

Charles Petretti, 4A Wingate Court – questioned the Section 20 costs of \$250,000, asking if this is the interest.

Administrator Hamilton explained the Section 20 costs are the “soft costs” related to the issuance of the Bonds.

As Councilman Leibowitz and Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2014 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$823,100, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Leslie Koppel	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-9-2014-016

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second read for final passage: **AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ORDINANCE as follows: (O-9-2014-017)

WHEREAS, the Middlesex County Improvement Authority (the “Authority”) is authorized to issue its bonds pursuant to the provisions of the County Improvement Authorities Law, chapter 183 of the Laws of New Jersey of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the “County Improvement Authorities Law”), and other applicable provisions of law; and

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the “County”) including the County and the Authority (the “2014 Program”); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the “Municipality”) has determined to participate in the 2014 Program and to lease certain police and/or passenger vehicles from the Authority; and

WHEREAS, there has been prepared and submitted to the Municipality the form of the Lease and Agreement (the "Lease"), to be entered into by and between the Authority and the Municipality, which Lease has been approved by the Authority and which is attached hereto as Exhibit A, providing for the acquisition and leasing of certain police and/or passenger vehicles from the Authority, which police and/or passenger vehicles are described in Exhibit B attached hereto and incorporated by reference herein. All terms used herein and not otherwise defined shall have the same meanings ascribed to such terms under the Lease.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2014 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

Section 2. The full faith and credit of the Municipality are hereby pledged to the punctual payment of the obligations set forth in the Lease authorized by this ordinance, including without limitation, (i) all Basic Rent and Rent obligations of the Municipality under the Lease, including Authority Administrative Expenses and Additional Rent, (ii) all amounts due and owing to the County as a result of payments made by the County on behalf of the Municipality under the Lease pursuant to the County Guarantee, including County Guarantee Costs and (iii) all direct and indirect costs of the Authority and the County related to the enforcement of the Lease and the County Guarantee ((i), (ii) and (iii) collectively, the "Lease Payment Obligation"). The Lease Payment Obligation under the Lease shall be a direct, unlimited and general obligation of the Municipality, not subject to annual appropriation by the Municipality pursuant to the County Improvement Authorities Law, and unless paid from other sources, the Municipality shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Municipality for the payment of the Lease Payment Obligation thereunder without limitation as to rate or amount.

The Mayor or other Authorized Municipal Representative (as defined in the Lease) is hereby authorized and directed to execute the Lease on behalf of the Municipality in the form as attached hereto in Exhibit A and the Clerk of the Municipality is hereby authorized and directed to attest to such signature and affix the seal of the Municipality thereto and the Lease is authorized to be delivered to the Authority. All representatives, officials and employees of the Municipality are hereby authorized and directed to enforce and to implement provisions of the Lease.

Section 3. The following additional matters are hereby determined, declared, recited and stated:

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's police and/or passenger vehicles described in Exhibit B attached hereto which will be subject to the Lease, (b) pay interest on the Authority's Bonds allocated to the Municipality and used to acquire the Municipality's police and/or passenger vehicles, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Lease.

(2) The Bonds shall mature within five (5) years from the date of issue.

(3) The Lease Payment Obligation authorized herein shall remain effective until all the Authority's Bonds shall have been paid in full in accordance with their terms and/or when all obligations of the Municipality under the Lease have been satisfied, notwithstanding the occurrence of any other event, including but not limited to the termination of the Lease with respect to some or all of the police and/or passenger vehicles leased thereunder.

(4) The police and/or passenger vehicles described in Exhibit B are hereby approved to be leased from the Authority in accordance with the terms of the Lease, with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Authority.

Section 4. To the extent the Municipality is an "Obligated Person" (as defined under the Rule (as hereinafter defined)), the Municipality hereby agrees to comply with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, including the secondary market disclosure requirements contained therein, and agrees to covenant to such compliance in the Lease. The Mayor, Clerk, Chief Financial Officer or other Authorized Municipal Representative are each hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement, approve and "deem final" the Official Statement of the Authority and the preliminary form thereof to the extent the information contained therein relates to the Municipality and to execute and deliver all certificates, documents and agreements to the Authority in connection therewith and to file budgetary, financial and operating data of the Municipality on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

Section 5. The Mayor, Clerk, Chief Financial Officer or Authorized Municipal Representative are each hereby authorized and directed to execute and deliver any and all certificates, documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease, the leasing of the police and/or passenger vehicles which is to be the subject of the Lease and all related transactions contemplated by this ordinance.

Section 6. Upon the payment of all amounts referenced in Section 3(3) herein, the full faith and credit pledge of the Municipality as to its Lease Payment Obligations authorized herein shall cease to exist.

Section 7. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 8. This ordinance shall take effect twenty (20) days after final adoption and publication in accordance with applicable law.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council or Public discussion of this Ordinance.

As Council Vice-President Koppel and Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passes on Second Reading and Final Adoption: **AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2014 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-9-2014-017

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE AMENDING CHAPTER 116 ENTITLED "TOWING AND STORING OF VEHICLES"**.

ORDINANCE as follows:

BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 116 of the Monroe Township Code entitled "Towing and Storing of Vehicles" be amended and supplemented as follows and shall become effective on October 1, 2014, and supplemented as follows:

§ 116-13. ~~Rates~~ **Standard Towing Rates/ Road Service Fee Schedule**

A. **Standard Towing.**

1. **Standard Towing Rates (up to 6,000 lbs)** The maximum rates and charges that may be charged by the permit holder for basic towing services rendered to a motor vehicle under this chapter, ~~which rates include mileage,~~ are as follows:

~~(a) One hundred dollars (\$100) for service between 6:00 a.m. and 5:59 p.m., Monday through Friday.~~

~~(b) One hundred ten dollars (\$110) for service between 6:00 p.m. and 5:59 a.m., Monday through Friday.~~

~~(c) One hundred twenty dollars (\$120) for service between 6:00 p.m. Friday and 5:59 a.m., Monday.~~

~~(d) One hundred twenty dollars (\$120) for service on any federal or New Jersey State holiday between 6:00a.m. on the day of the holiday and 5:59 a.m. on the morning following the holiday.~~

~~(e) Sixty dollars (\$60.) per hour for waiting time. Fees for waiting time shall not begin to accrue until the tow operator has been on the scene for fifty-nine (59) minutes without being able to begin tow/or recovery efforts. Any part of an hour after the elapse of the first fifty-nine (59) minutes shall be counted as a full hour and the full hourly rate of sixty dollars (\$60.) shall be charged.~~

~~(f) Seventy Five dollars (\$75.) for winching.~~

~~(g) Forty dollars (\$40.00) for clean- up of vehicle fluids only including but not limited to transmission fluid, engine oil and antifreeze.~~

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|-----|------------------------------|--|
| (a) | Monday-Friday 6:00am-6:00pm: | \$125.00 |
| (b) | Monday-Friday 6:00pm-5:59am: | \$150.00 |
| (c) | Weekends and Holidays: | \$150.00 |
| (d) | Clean up Fee: | \$ 50.00 plus \$22.00
per bag of oil
absorbent |
| (e) | Wait Time: | \$ 75.00 per hour
after 60 minutes on
scene |

- (f) Recovering/Winching: \$100.00 per hour plus tow fee
- (g) Extra person: \$ 75.00 per person/ per hour

B. Standard Storage

- 1. ~~The maximum rate that may be charged by any permit holder for storage services rendered to a motor vehicle shall be thirty dollars (\$30.) per day.~~

Standard Storage (up to 6000 lbs) The maximum rates and charges that may be charged by the permit holder for basic towing services rendered to a motor vehicle under this chapter are as follows:

- (a) Outdoor: \$40.00 per day
- (b) Indoor: \$60.00 per day
- (c) Administration Fee \$35.00 (one time charge)
- (d) Yard Fee: \$75.00 (Accidents only)
- (e) Covering/tarping \$50.00(one time charge)

C. Standard Service Calls.

- 1. Standard Road Service The maximum rates and charges that may be charged by any permit holder for a service call are as follows:

~~(a) Thirty five dollars(\$35.) plus cost of consumables between 8:00 a.m. and 6:00 p.m..~~

~~(b) Sixty dollars (\$60.) plus cost of consumables between 6:01 p.m. and 7:59 a.m.~~

~~(c) A charge of sixty dollars (\$60.) will be added to any service call which involves winching.~~

- (a) Monday-Friday 6:00am-6:00pm \$85.00 plus cost of consumables
- (b) Night/Weekend/Holidays \$100.00 plus cost of consumables

§ 116-23. Heavy duty towing and heavy duty recovery.

~~E. Rates. The maximum rates that may be charges for heavy duty towing and heavy duty recovery are as follows.~~

- ~~1. Conventional tow, 12,000 pounds to 25,000 pounds: \$175.00~~
- ~~2. Conventional tow, 25,001 pounds to 55,000 pounds: \$300.00~~
- ~~3. Conventional tow, 55,001 pounds to 80,000 pounds: \$450.00~~
- ~~4. Conventional tow, bus coach: \$450.00~~
- ~~5. Nights, weekends and holidays: additional \$75.00~~

- ~~6. Per mile outside Monroe Township: (all tolls additional): (except that no additional mileage fee shall be charged to transport a vehicle to a base of operations located outside of the Township): \$10.00.~~
- ~~7. Extra heavy duty tilt bed low boy tractor and trailer: \$350.00 per hour~~
- ~~8. Winching: \$350.00~~
- ~~9. Remove bumper: \$30.00~~
- ~~10. Connect air line: \$25.00~~
- ~~11. Remove axle: \$25.00 per hour~~
- ~~12. Remove Drive shaft: \$35.00~~
- ~~13. Remove air scoop: \$45.00~~
- ~~14. Remove exhaust pipes: \$30.00~~
- ~~15. Cage brake chambers: \$25.00 per hour~~
- ~~16. Extra men, per hour, per man: \$80.00~~
- ~~17. Cleanup materials: this item is to be a separate line item and itemized on each bill where its use is required. Reasonable rates are required when billing for this item.~~
- ~~18. Storage:

 - ~~(a) Tractor: \$50.00 per day~~
 - ~~(b) Trailer: \$50.00 per day~~
 - ~~(c) Bus: \$75.00 per day~~
 - ~~(d) Tractor-trailer: \$75.00 per day~~
 - ~~(e) straight trucks: \$50.00 per day~~~~

E. Heavy Duty Towing.

- ~~1. Heavy Duty Towing Rates (6,001 lbs. and up): The maximum rates and charges that may be charged by the permit holder for heavy duty towing services rendered to a motor vehicle under this chapter are as follows:~~

F. Heavy Duty Road Service.

Monday – Friday/Nights/Weekends/Holidays:

\$125.00 per hour plus cost of consumables

Recovery charges involving serious motor vehicle accidents and recoveries will be based upon individual requirements for equipment, personnel and conditions encountered.

- ~~(a) 6,001 – 18,000 lbs: \$250.00 per hour~~
- ~~(b) 18,001 – 26,001 lbs: \$350.00 per hour~~
- ~~(c) 26,001 – 80,000 lbs: \$500.00 per hour~~
- ~~(d) Landoll/Lowboy Trailer Service: \$350.00 per hour~~
- ~~(e) Rotator/Crane Service: \$875.00 per hour~~
- ~~(f) Clean up Fee: \$50.00 plus \$22.00 per bag of oil absorbent~~
- ~~(g) Wait Time: \$100.00 per hour after 60 minutes on scene~~

(h)	Recovery/Winching:	\$450.00 per hour/per truck/plus tow fee
(i)	Extra person:	\$85.00 per person/per hour

1. Mileage Rates.

Towing service outside the Township subject to a mutual agreement between the Tow Operator and the Owner/Operator of vehicle.

2. Scene Supervisor.

\$150.00 per hour (only for Serious Accidents or Major Recoveries)

G. Heavy Duty Storage Fees (6,001 lbs and up):

The maximum rates and charges that may be charged by the permit holder for heavy duty towing services to a motor vehicle under this chapter are as follows:

(a)	6,001 – 18,000 lbs:	\$50.00 per day
(b)	18,001 – 26,001 lbs:	\$75.00 per day
(c)	26,001 – 80,000 lbs:	\$85.00 per day
(d)	Administrative Fee:	\$75.00 (one time charge)
(e)	Yard Fee:	\$50.00 (one time charge)
(f)	Covering/Tarpping:	\$50.00 (one time charge)

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect twenty days after final passage, adoption and publication as provided by law.

SO ORDAINED, as aforesaid.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council discussion of this Ordinance.

Charles Petretti, 4A Wingate Ct. – Asked if there is an “Item D” in the schedule that is attached to this Ordinance or is it missing.

Council President Tamburro stated that there is no change to Item D and that is why it does not appear.

Attorney Shain stated that the proposed Ordinance needs to be compared with the present. Since we do not have the current Ordinance in front of us this evening, he recommended tabling the matter until the next meeting.

Mr. Petretti then asked when the rates were last changed.

Deputy Clerk Patricia Reid, who worked on the Ordinance, responded 8-10 years ago.

UPON MOTION made by Councilman Dalina and seconded by Councilman Dalina, the Ordinance was Tabled until the October 6, 2014 Regular Council Meeting.

ROLL CALL: Councilman Stephen Dalina Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Leslie Koppel Aye
Council President Gerald W. Tamburro Aye

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE AMENDING CHAPTER 122 ENTITLED "VEHICLES AND TRAFFIC"**. (No Parking along the easterly side of Buckelew Ave)

ORDINANCE as follows: (O-9-2014-018)

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

SECTION 1. Section 122-30, Schedule I of the Code of the Township of Monroe, which Section establishes "**No Parking**" zones within the Township of Monroe be amended and shall be *effective October 1, 2014* to include the following:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>
Zone 1		
Buckelew Avenue (CR 522)	East	From Schoolhouse Road to the Driveway of Brookside School
Zone 2		
Buckelew Avenue (CR 522)	East	From Little Brook Lane to State Street

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.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

There was no Council or Public discussion of this Ordinance.

As Council Vice-President Koppel and seconded by Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passes on Second Reading and Final Adoption: **ORDINANCE AMENDING CHAPTER 122 ENTITLED "VEHICLES AND TRAFFIC"**. (No Parking along the easterly side of Buckelew Ave)

ROLL CALL: Councilman Stephen Dalina Aye
Councilman Michael Leibowitz Aye
Councilwoman Elizabeth Schneider Aye
Council Vice-President Leslie Koppel Aye
Council President Gerald W. Tamburro Aye

Copy of Ordinance Duly Filed

UPON MOTION made by Councilwoman Schneider and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A RIGHT-OF-WAY EASEMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND JERSEY CENTRAL POWER & LIGHT FOR THE INSTALLATION OF LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC CURRENT, INCLUDING COMMUNICATIONS FACILITIES.**

ORDINANCE as follows: (O-9-2014-019)

WHEREAS, Jersey Central Power & Light (“JCP&L”) requires an easement (“Easements”) across a portion of Lot 11.05 in Block 5, owned by the Township of Monroe, for the installation of lines for the transmission and distribution of electric current, including communications facilities; and

WHEREAS, the Township has obtained an appraisal for Right-of-Way Easement Agreement indicating that the value of the easement is Twenty-Five Thousand Five Hundred dollars (\$25,500.00) and JCP&L has agreed to pay the Township that amount for the Right-of-Way Easement Agreement; and

WHEREAS, the Township has agreed to enter into a Right-of-Way Easement Agreement with JCP&L; and

WHEREAS, the Township Council, after consultation with its legal and engineering professionals, has determined that it is in the public interest to enter into a Right-of-Way Easement Agreement with JCP&L;

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

SECTION 1. The Mayor and Township Clerk are hereby authorized and directed to execute the Right-of-Way Easement in a form containing terms and provisions substantially similar to the Right-of Way Easement annexed hereto as Exhibit “A”.

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

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Councilman Leibowitz and Mr. Grossman asked the location.

Council President Tamburro responded “near Renaissance 33”.

Administrator Hamilton added that it is the property that is owned by the MTUD.

As Councilwoman Schneider and seconded by Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passes on Second Reading and Final Adoption: **ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A RIGHT-OF-WAY EASEMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MONROE AND JERSEY CENTRAL POWER & LIGHT FOR THE INSTALLATION OF LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC CURRENT, INCLUDING COMMUNICATIONS FACILITIES.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Koppel, an Ordinance of which the following is the title was moved on second read for final passage: **ORDINANCE ACCEPTING THE RECOMMENDATIONS OF THE PLANNING BOARD AND FURTHER AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT"**.

ORDINANCE as follows: (O-9-2014-020)

WHEREAS, JSM at Route 33, LLC ("JSM") submitted a Preliminary Site Plan Application to the Planning Board of the Township of Monroe ("Planning Board") seeking approval to develop approximately 368.28 acres of unimproved property located within the Affordable Housing Mixed Use Development-Highway Development ("AHMUD/HD") zone of Monroe Township; and

WHEREAS, the Planning Board denied JSM's application without prejudice, resulting in JSM commencing a lawsuit against the Township of Monroe ("Monroe") and The Planning Board of the Township of Monroe ("Planning Board") entitled JSM at Route 33, LLC v. The Township of Monroe and the Planning Board of the Township of Monroe; and

WHEREAS, the Township Council, at its meeting held on July 7, 2014, passed Resolution No. R-7-2014-171 consenting to the settlement of the lawsuit, subject to the approval of the Planning Board; and

WHEREAS, Resolution No. R-7-2014-171 with attached Settlement was referred to the Planning Board for consideration at the July 24, 2014 Planning Board Meeting; and

WHEREAS, the Monroe Township Planning Board, upon recommendation of the Board Planner, passed a Resolution at its July 24, 2014 meeting, recommending that the Chapter 108 Land Development Ordinance be amended in accordance with the Settlement Agreement between the Township of Monroe, the Monroe Township Planning Board and JSM at Route 33, LLC; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, that Chapter 108 of the Monroe Township Land Use Ordinance be amended as follows:

SECTION 1.

§ 108-6.7. R-3A Residential-Agricultural District.

The following regulations shall apply in the R-3A Residential-Agricultural District.

J. VC-1 Village Center Overlay.

(4) Permitted principal uses.

(b) Residential dwellings. Townhouse and multi-family dwellings in individual complexes separate from non-residential land uses; affordable housing units over non-residential uses that are on the ground floor within mixed-use buildings located in the "downtown" area; and affordable housing units in one hundred percent (100%) affordable housing buildings. A set aside of at least ~~fifteen percent (15%)~~ **twelve and one-half percent (12.5%)** of all residential dwellings shall be provided as affordable housing as defined by the State of New Jersey in order for residential dwellings to be part of any development;

(6) Permitted intensities of development.

(a) Maximum residential density of four (4) dwelling units per acre, with a requirement of at least ~~fifteen percent (15%)~~ **twelve and one-half percent (12.5%)** set aside for affordable housing as defined by New Jersey State law, ~~[shall be permitted]~~.

(h) **Construction phasing for maximum market rate residential dwelling units completed and minimum total square footage of non-residential space completed shall be provided as follows:**

<u>Maximum Market Rate Dwelling Units Completed</u>	<u>Minimum Total Square Footage of Non-Residential Space Completed</u>
200	25,000
142 additional/ 342 cumulative	15,000 additional/ 40,000 cumulative

Completed dwelling units and completed non-residential space mean certificates of occupancy (COs) have been issued for the dwelling units and non-residential space. Building permits and COs shall be issued for the first two hundred market rate dwelling units, but no additional COs shall be issued for market rate dwelling units until a CO has been issued for 25,000 square feet of non-residential space (shell only, fit-out when tenants are identified). Upon receipt of a CO for the first 25,000 square feet of non-residential space, the applicant shall be permitted to apply for COs for up to an additional 142 market rate dwelling units. Upon receipt of the CO for the one hundred forty second (142nd) market rate dwelling unit, the applicant shall not obtain further COs for additional market rate dwelling units until it has received a CO for an additional 15,000 square feet of non-residential space (shell only, fit-out when tenants are identified). After receipt of COs for a total of 40,000 square feet of non-residential space, there shall be no further restriction on the completion of market rate dwelling units related to the completion of non-residential space.

§ 108-6.18. H-D Highway Development District.

The following regulations shall apply in the H-D Highway Development District.

- J. AHMUD/HD Affordable Housing Mixed Used Development / Highway Development Overlay Zone.
- (2) The AHMUD / HD Affordable Housing Mixed Use Development / Highway Development Overlay Zone shall apply to the following parcels of land only:
 Block 6, Lots ~~[12.02, 12.04]~~, 12.05, 12.06, 13.01, 14.01, 15.01, 16.01, 17.01, 18.01, 19.03, 19.04, 20.01, 21.03, 21.04, 22.01, 23.01, 24.01, 25.01, 26.01, 27.01, 28.01 and 29.02
- (13) Inclusionary housing development.
- (a) The following residential dwellings shall be provided:

Description	Number of	
	Dwelling Units	Percentage %
Market Rate Units	[562] 618	[75] 82.5
Affordable Units	[487] 131	[25] 17.5
Total	749 749	100 100.0

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 provision 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.

Council President Tamburro opened the Public Hearing to Council and Public discussion of this Ordinance.

Council President Tamburro explained the purpose of the change.

Michele Arminio, 9 Nathaniel St. – asked for clarification, stating that her understanding is that part of the JSM agreement was on Mount Mills and Spotswood-Englishtown Rd. and they would deed over acreage for Monroe for Affordable Housing.

Council President Tamburro stated that this was correct.

She was of the understanding that the affordable housing would be “age restricted”.

Council President Tamburro explained that the Route 33 & Mount Mills Rd. projects were changed from “Family” Affordable Housing to “Senior” Affordable Housing.

Charles Petretti, 4A Wingate Ct. – wanted more clarification of “Family”. Will there be children in that community? Council President Tamburro explained further.

As Councilman Leibowitz and Council Vice-President Koppel regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE ACCEPTING THE RECOMMENDATIONS OF THE PLANNING BOARD AND FURTHER AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “LAND DEVELOPMENT”.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Leslie Koppel	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AMENDING THE 2011-2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Leslie Koppel	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**, as hereinbelow set forth:

RESOLUTIONS adopted under **CONSENT AGENDA** are as follows:

- a. **RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR MONROE TOWNSHIP PUBLICATION.**
- b. **RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR VENDING MACHINES WITHIN MONROE TOWNSHIP MUNICIPAL BUILDINGS.**
- c. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH FEIST ENGINEERING, INC. FOR ENGINEERING AND SURVEYING SERVICES RELATED TO ADA BUS SHELTER COMPLIANCE – APPLGARTH ROAD.**
- d. **RESOLUTION AUTHORIZING THE PURCHASE OF ONE 7-PASSENGER VAN UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP OFFICE OF SENIOR SERVICES.**
- e. **RESOLUTION AUTHORIZING THE BUSINESS ADMINISTRATOR TO RE-ADVERTISE FOR RECEIPT OF BIDS FOR A BOOKMOBILE.**
- f. **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE AND ADVERTISE REQUESTS FOR QUALIFICATIONS (“RFQ’s”) FOR VARIOUS PROFESSIONAL SERVICES FOR CALENDAR YEAR 2015.**
- g. **RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR SODIUM CHLORIDE.**
- h. **RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR THE ANNUAL OKTOBERFEST CELEBRATION.**
- i. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- j. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- k. **RESOLUTION AUTHORIZING MODIFICATION TO A CONTRACT AWARDED TO LEGGETTE, BRASHEARS & GRAHAM, INC. FOR GENERAL HYDRO-GEOLOGIC CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- l. **RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT NO. 418N “ION EXCHANGE SYSTEM REPAIR & MAINTENANCE” WITH LAYNE CHRISTENSEN COMPANY FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”)**
- m. **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP PRINTING SERVICES (GROUPS A & B).**
- n. **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP PRINTING SERVICES (GROUP C).**
- o. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE LAND CONSERVANCY OF NEW JERSEY FOR COMMUNITY GARDEN DESIGN, DEVELOPMENT AND TECHNICAL SUPPORT.**
- p. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH FEIST ENGINEERING, INC. FOR TITLE SURVEY, PROPERTY DESCRIPTION AND PHASE 1 ENVIRONMENTAL ANALYSIS FOR OPEN SPACE ACQUISITION.**

REPORTS:

Mayor – Absent

Business Administrator Hamilton – Advised Standard and Poor’s re-affirmed the township’s AA Stable Bond Rating. It’s positive news.

Federal Road, between Monroe Blvd. and Gravel Hill Rd. will have some paving work done next week. (Sept. 8th – 12th)

On Thursday, Sept. 11th the 9-11 Memorial Ceremony on Prospect Plains Rd. will be held in the morning at the time of the tragedy. There will be shuttles from the Municipal Bldg. at 9:00am and some parking is also available.

Engineer Mark Rasimowicz – Advised the paving and striping of Schoolhouse Road is complete and the road is open.

Council Reports:

Councilman Dalina – pointed out that Soccer Opening Day is Saturday, at 12 noon at our Prospect Plains Field Complex.

Octoberfest will be held at the Community Center on Oct. 19th.

He attended the 11th Annual Block Party and thanked all the residents of Carlton Ave. for another great Block Party.

School starts tomorrow and urged everyone to be mindful of the school buses and children.

Councilwoman Schneider – thanked the Police Dept. and emergency services for “Nat’l Night Out”, stating she had a wonderful time.

She also attended her 1st Annual Fishing Derby. The children ranged from 2-15 yrs. of age.

Council Vice-President Koppel - pointed out that the town has something going on every weekend.

She added that on Sept. 27th the “Old Time Ball Game” will take place at 12noon at the Dey Farm along with a Civil War re-enactment.

Also the “Green Fair” will be held on Oct. 11th.

President Tamburro – mentioned that Elizabeth “Betty” Schneider was name “Citizen of the Year” by the Rossmoor Kiwanis Club.

PUBLIC:

Robert Zeglarsky, 162 Tournament Dr. – mentioned at a previous meeting that a resident questioned the bonding of sewer and utility capital projects rather than using surplus monies.

Administrator Hamilton once again explained that the Council made a reasonable decision not to use the utility surplus for sewer and utility capital projects because it is fairer to rate payers, residents and businesses to pay as you go through municipal bonding rather than paying cash up front. It is felt that bonding is a fairer method of paying for these projects.

Mr. Zeglarsky then offered another side of the bonding for water & sewer utility department. (Bonding vs. Cash for Capital Improvements)

Administrator Hamilton responded that for multi-million dollar projects that have a useful life of 30-40 years, it is ludicrous to pay cash, giving an example that if one was purchasing a house, you would pay for it over a period of time.

Hy Grossman, 15 Doral Dr. – responded that bond borrowing makes sense. Paying cash for items with a useful life of 30-40 yrs. makes no sense.

Robert Roche, 18 Muirfield Blvd. – in receiving his tax bill he noticed that the “Open Space Tax Rate” did not change, staying at 2.5%, whereas, every other taxing authority reduced their rate proportionately to adjust for the increase. By keeping it at this rate it has doubled and would like to know why it was not adjusted.

Administrator Hamilton responded that the 2.5% rate was authorized by the voters. The only way the rate can be changed is if it goes back to the voters for a reduction. It must be done through a referendum and it was too late in the year to be placed on the ballot this year.

Mr. Roche also recommended that the "Open Space Trust Fund Statement" be placed on the Township Website.

Michele Arminio, 9 Nathaniel St. – questioned Item #18.c. – Professional Service with Feist Engineering for the Bus Shelter, asking the amount of the contract.

Council President Tamburro responded, not to exceed \$5000.

Item #18.p. - Professional Service with Feist Engineering for Title Survey, property description, & Phase 1 Environmental Analysis for Open Space Acquisition, asking the amount of the contract.

Council President Tamburro responded, \$43,800 for 3 properties. Engineer Rasimowicz advised the environmental portion will be farmed out and is included in the price.

Charles Petretti, 4A Wingate Ct. – Item# 18-o – Professional Service Contract with Land Conservancy of NJ for Community Garden Design, Development & Technical Support, asking if this is the "Community Garden" in the Township.

Council President Tamburro explained that the future project is in the Township and has been approved by the Planning Board. There was a donation of land for a "Community Garden" and this is for the preliminary design.

Item #18.I. – Ion Exchange System Repair & Maintenance for the MTUD, asking if this is an on-going thing and what is the expenditure.

MTUD Director Michael Barnes responded that the different filters are tested and from time to time the media must be replaced. It is a unit price contract. When information comes back it will be determined what has to be done.

Mr. Petretti asked if it will ever end and Mr. Barnes responded "no" it does not.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the Meeting was Adjourned at 8:32pm.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Leslie Koppel	Aye
	Council President Gerald W. Tamburro	Aye

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on 10/06/2014