

COUNCIL OF THE TOWNSHIP OF MONROE

MINUTES

REGULAR MEETING - NOVEMBER 5, 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, Council Vice-President Leslie Koppel and Council President Gerald W. Tamburro.

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

ABSENT: Mayor Richard Pucci

There were approximately one hundred thirty (130) 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 Richard Howlett, Executive Director of the NJ Water Association to present the 2014 Malcolm Fraser Award to Michael Barnes, M.T.U.D. Director, for outstanding service to the industry.

Mr. Hewlett explained that the M.T.U.D. has generously and graciously made their prime Central New Jersey meeting facilities available to multiple statewide organizations, and to committees and subcommittees that are subdivisions of New Jersey State Government. Additionally, representatives of the M.T.U.D. regularly provide leadership and professional insights that benefits the utility industry, customers and the health of New Jersey's environment.

Next Council President Tamburro read a Proclamation regarding "Human Trafficking Awareness Day – January 11th". He presented Andrea Pellizi with the framed Proclamation.

Councilman Steve Dalina introduced Judy Kalman, Chairperson of the ADA Committee, who explained the functions of the ADA Committee. She stated that every year the committee looks at a person or a business in Monroe that has surpassed all expectations in giving time and effort for someone in need.

Councilman Dalina further explained that last year Mikey Nicols, a Monroe resident, was seriously injured in a High School Hockey Game. The community came together, prayed together and enabled him to come home to a house that was equipped for him. The town contacted Jack McNaboe, from the Township Construction Office to spearhead the project to make sure it was ADA compliant. Jack McNaboe was presented with the AIS Award for "Accessibility, Inclusion & Sensitivity" in appreciation for his tireless efforts & commitment in the "Road to Recovery" effort for Michael Nichols, dated November 5, 2014 from Mayor Pucci, the Township Council and the ADA Committee.

Mr. McNaboe commented on receiving the Award and thanked and named his colleagues and numerous contractors for their help on this project.

Next Steve Nicols thanked Jack McNaboe for his tireless work on the project for his son.

In conclusion, Mikey Nichols thanked everyone who made his home accessible for him. He also thanked the town for supporting him during his darkest days.

Councilman Dalina called upon the Coaches and Representatives from the Recreation Department for a final presentation of plaques to the Monroe Falcons Purple Cal Ripkin Baseball Team who are the 2014 10U Northern NJ State Champions. Councilman Dalina introduced the head coach Tony Zerwicki who introduced his assistant coaches and all the players.

A 10 Minute Recess was taken.

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

**HOLLOCAUST EDUCATION DAY
OCTOBER 29, 2014**

**DECA MONTH
NOVEMBER 2014**

**PANCREATIC CANCER AWARENESS MONTH
NOVEMBER 2014**

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Leibowitz the **CLAIMS** per run date of **10/23/2014** 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 Leibowitz and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on seconding reading for final passage: **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF WATER ALLOCATION RIGHTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

ORDINANCE as follows: (O-11-2014-023)

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water and Sewer Utility of the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$5,500,000 from the Water and Sewer Utility of the Township. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

(the "Local Bond Law"), no down payment is required as the Water and Sewer Utility is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$5,500,000 appropriation, negotiable bonds of the Water and Sewer Utility of the Township are hereby authorized to be issued in the principal amount of \$5,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Water and Sewer Utility of the Township in a principal amount not exceeding \$5,500,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the purchase of SWM International's consent to transfer 750 million gallons per year of its base allocation water diversion rights in the Old Bridge Aquifer to the Township and for the Township to acquire, from SWM International, a Right of Exclusive Negotiation to purchase additional base allocation water diversion rights from SWM International, including all work and materials necessary therefor and incidental thereto, including, but not limited to, that set forth in Section 3(b) below.

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, well testing, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$5,500,000.

(d) The estimated cost of said improvement or purpose is \$5,500,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Middlesex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Middlesex. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Middlesex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Water and Sewer Utility of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the

Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Water and Sewer Utility of the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Water and Sewer Utility of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$5,500,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$5,500,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after final adoption, and approved by the Mayor, as provided by the Local Bond Law.

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

Councilman Leibowitz expressed the importance of the projects.

Council Vice-President Koppel was excited about the projects.

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: **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF WATER ALLOCATION RIGHTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$5,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

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-11-2014-023

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "STREETS AND SIDEWALKS", SPECIFICALLY ARTICLE VI ENTITLED, "REIMBURSEMENT TO HOMEOWNERS' ASSOCIATION FOR STREET LIGHTING, SNOW REMOVAL, RECYCLING AND ROADS MAINTENANCE".**

ORDINANCE as follows: (O-11-2014-024)

BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that the Code of the Township of Monroe, Chapter 105 entitled, "Streets and Sidewalks" be amended and supplemented as follows:

ARTICLE VI

Reimbursement to Homeowners' Associations For Street Lighting, Snow Removal, Recycling, Roads Maintenance and Stormwater Basin Maintenance

SECTION 1.

§ 105-35. APPLICABILITY

Qualified private communities and Homeowners' Associations, as defined herein, shall be reimbursed for their provision of snow removal, street lighting, recycling, and roads maintenance in accordance with the requirements and formulae established herein.

SECTION 2.

§ 105-36. DEFINITIONS

As used in this Article, the following terms shall have the meanings indicated below:

- a. **“ASSOCIATION”** – A condominium, homeowners’ or property owners’ association that privately contracts for snow removal, existing street lighting, recycling and roads maintenance.
- b. **“QUALIFIED PRIVATE COMMUNITY”** – An organization as defined by N.J.S.A. 40:67-23.2.e. that private contracts for snow removal, existing street lighting, recycling and roads maintenance.
- c. **“RECYCLING REIMBURSEMENT”** – The reimbursement to qualified private community association based upon the per-unit cost of Township recycling programs, which the Township may conduct or subscribe to.
- d. **“REIMBURSEMENT PERCENTAGE”** – The reimbursement to the association based upon the total linear miles of the streets under the jurisdiction of the association as calculated by the Township of Monroe.

SECTION 3.

§ 105-37. STREET LIGHTING REIMBURSEMENT PROCEDURE

- A. The Township shall reimburse all qualified private communities for the lighting of roads and streets, to the extent of payment for the electricity required, but not including the installation or maintenance of lamps, standards, wiring or other equipment.
- B. The amount of the annual reimbursement to each qualified private community for street lighting shall be predicated upon submission by that qualified private community of paid utility invoices **prior to March 31st of the year following payment to the utility company.** The Township shall pay the actual cost incurred by each individual qualified private community for street lighting electricity charges.
- C. The reimbursement funds received from the Township by the qualified private communities shall either be distributed to individual members of the respective qualified private communities in accordance with procedures established by the qualified private community, or credited and applied against present and future community expenditures.

SECTION 4.

§ 105-38. SNOW REMOVAL REIMBURSEMENT FORMULA

- A. The Township shall provide annually a snow removal reimbursement at a specified rate for the year 2015, **based upon actual costs for the year 2013**, per actual **road mile with final surface course** within the private community. The reimbursement amount, payable in March of each year, is adjusted annually in accordance with the lower of the consumer price index or the tax levy cap rate of 2%. The reimbursement rate shall take into consideration the costs of the following: (1) Employee Salaries; (2) Employee Benefits; (3) Outside Contractor Salaries; (4) Materials Cost (salt, sand, calcium chloride, etc.); (5) Equipment Per Hour Operated; (6) Outside contractors and their equipment; and (7) Rented Equipment Costs.
- B. The Township shall not provide snow removal services in lieu of reimbursement.

SECTION 5.

§ 105-39. RECYCLING REIMBURSEMENT FORMULA

The Township shall reimburse each individual qualified private community for recycling in accordance with the per-unit cost of Township recycling programs. Such programs may be conducted by the Township or may be performed on the Township's behalf on a subscription basis, at the Township's discretion. Such reimbursement shall be based on the formula: Annual recycling reimbursement equals annual cost per unit multiplied by the number of occupied units in a qualified private community. As an example, if the Township conducts, or subscribes to a recycling program that costs \$1 per annum per dwelling unit, the Township shall reimburse a qualified private community with 100 dwelling units \$100 dollars per annum.

SECTION 6.

§ 105-40. ROADS MAINTENANCE REIMBURSEMENT FORMULA

- A. The Township shall provide annually a roads maintenance reimbursement of \$2,267.93 per mile of actual road miles, as calculated by the Township Engineer for year 2014, to be distributed to qualified private communities as a base rate for 2014, with the rate increasing each year at the lower of the consumer price index or the tax levy cap rate of 2.0%.
- B. Roads maintenance reimbursement shall not be extended to communities, unless such communities can be certified as being qualified private communities for a period of not less than ten (10) years from the date of the issuance of the last certificate of occupancy.
- C. Qualified private communities shall be reimbursed only for actual costs incurred for road maintenance activities, up to the maximum reimbursement allowed by Chapter 105-40.A. Accordingly, a qualified private community seeking reimbursement shall submit proof of such costs to the Township Engineer for certification. The Township Engineer shall certify to the Business Administrator satisfactory completion of the work for which reimbursement is being sought and appropriateness of costs incurred therefore.
- D. The Township shall not provide road maintenance services in lieu of reimbursement.

SECTION 7.

§ 105-41. STORMWATER WET BASIN MAINTENANCE REIMBURSEMENT FORMULA

- A. The Township shall provide annually a stormwater wet basin maintenance reimbursement of \$0.2033454 per square yard of basin area, as calculated by the Township Engineer **based upon the square yardage of wet basin area within each qualified private community**, to be distributed to qualified private communities.
- B. Stormwater wet basin maintenance reimbursement shall not be extended to communities, unless such communities can be certified as being qualified private communities for a period of not less than ten (10) years **from the date of the issuance of the last certificate of occupancy**.
- C. Qualified private communities shall be reimbursed only for actual costs incurred **within the prior 12 month calendar period** for stormwater basin maintenance activities, up to the maximum reimbursement allowed by Chapter 105-40.A. Accordingly, a qualified private community seeking reimbursement shall submit proof of such

costs to the Township Engineer for certification. The Township Engineer shall certify to the Business Administrator satisfactory completion of the work for which reimbursement is being sought and appropriateness of costs incurred therefore.

- D. The Township shall not provide stormwater wet basin maintenance services in lieu of reimbursement.

SECTION 8.

§ 105-42. SEVERABILITY

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

SECTION 9. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 10. If any section, paragraph, subdivision, clause or provisions 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 this ordinance shall be deemed valid and effective.

SECTION 11. 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.

George Gunkelman, 5 Kelly Court - asked if there is an amount estimated or budgeted.

Administrator Hamilton responded "\$750,000 a year". This will only impact the snow removal portion. It sets forth a new formula.

As Councilman Dalina and Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "STREETS AND SIDEWALKS", SPECIFICALLY ARTICLE VI ENTITLED, "REIMBURSEMENT TO HOMEOWNERS' ASSOCIATION FOR STREET LIGHTING, SNOW REMOVAL, RECYCLING AND ROADS MAINTENANCE".**

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-11-2014-024

UPON MOTION made by Council Vice-President Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on seconding reading for final passage: **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES".**

ORDINANCE as follows: (O-11-2014-024)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 39 of the Code of the Township of Monroe is hereby amended as follows: [deleted] and added/revised

SECTION 1.

§39-1. Title.

§ 39-2. Purpose.

§ 39-3. Fees enumerated.

§ 39.4. Board of Education exemption.

§ 39-1. Title

This Chapter shall be known as the "Codification of Fees and Costs of the Township of Monroe.

§ 39-2. Purpose

This Chapter is adopted in order to advise the citizens of the township, and any and all persons doing business with the township, of the various fees charged for services rendered by the departments of township government and to provide ready access to any and all such information.

§ 39-3. Fees enumerated.

A. General Fees.

(1) Fees for copies of public records.

(a) Copying by page.

Letter size (8 ½ x 11) \$0.05

Legal size (8 ½ x 14) \$0.07

(b) Whenever the nature, format, manner or collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied is such that the record cannot be

(c) reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the township may charge, in addition to the actual cost of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies.

(d) For motor vehicle accident reports which are requested other than in person, an additional fee of five dollars (\$5,) will be charged to cover the administrative costs of the report ~~[for the first three (3) pages and one dollar (\$1.) for each page thereafter],~~ as provided by N.J.S.A. 39:4-131.

(e) For all other police reports which are requested, other than in person, the fees for the reports will be as outlined in Section 39-3A. General Fees (1)(a), plus any and all postage fees.

(f) Dictaphone tapes - \$5.00 per copy.

(g) Audio tapes - \$5.00 per copy.

(h) Digital video discs (DVD's - \$.85 per copy.

(i) Photographs.

[1] Complete sets - \$5.00 per picture.

[2] 8 x 10 enlargements - \$15.00 per enlargement.

[3] 8 x 12 enlargements - \$20.00 per enlargement.

[4] Compact disc/DVD – \$.57 per CD/DVD containing still digital photographs.

(j) Diskette - \$5.00.

(k) Compact Disc/CD – \$.57.

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 (20) days after passage, adoption and publication according to law.

SO ORDAINED, as aforesaid.

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 Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "FEES"**.

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-11-2014-025

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SALARIES AND WAGES FOR POLICE PBA EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.**

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 Councilman Dalina, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SALARIES AND WAGES FOR POLICE SUPERVISORY EMPLOYEES OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX.**

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 introduced on first reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SALARIES AND WAGES FOR PRIVATE PARTY BILLING OF POLICE DEPARTMENT PERSONNEL.**

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 introduced on first reading for final passage: **ORDINANCE FIXING THE 2015 – 2018 SUPERVISORY PERSONNEL SALARIES AND WAGES OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX.**

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: **REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”) PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING REFUNDING GENERAL OBLIGATION BONDS, SERIES 2006 OF THE TOWNSHIP TO PROVIDE NET DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,200,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR.**

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, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE.**

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 Councilwoman Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE ACCEPTING A DEED FOR PROPERTY CONSISTING OF A PORTION OF BLOCK 25, IN LOT 15.01, AS PART OF A SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND 211 CRANBURY STATION, LLC.**

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 Council Vice-President Koppel, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**:

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

Council President Tamburro asked Administrator Hamilton to discuss, Item #hh. under the Consent Agenda. Administrator Hamilton advised this Resolution is urging the Governor and Legislature to recognize and preserve the strength of local pension funds when considering the recommendations of Governor Christie's Pension and Health Benefit Study Commission.

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

- a. **RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN POLICE PBA LOCAL 255 AND THE TOWNSHIP OF MONROE.**
- b. **RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN MONROE SUPERIOR OFFICERS' ASSOCIATION AND THE TOWNSHIP OF MONROE.**
- c. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.**
- d. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- e. **RESOLUTION OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 FOR AMOUNTS OWING TO TAXPAYERS FOR TAXES LEVIED IN THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF EMERGENCY NOTES PURSUANT TO N.J.S.A. 40A:4-51.**
- f. **RESOLUTION REFUNDING AFFORDABLE HOUSING DEVELOPER FEES TO TOLL BROTHERS.**
- g. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED BY VEGAN THYME (PB-1083-10) UPON THE POSTING OF A MAINTENANCE BOND.**
- h. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY FAIGON ELECTRIC FOR THE EMERGENCY TRAFFIC WARNING BEACONS FOR FIRE DISTRICT 3 UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- i. **RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 3 SUBMITTED BY DeMAIO ELECTRICAL COMPANY, INC. TO THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") IN CONNECTION WITH CONTRACT NO. 402 – ASHMALL AVENUE PUMP STATION #7 IMPROVEMENTS.**

- j. **RESOLUTION AUTHORIZING MODIFICATION TO A CONTRACT AWARDED TO LEGGETTE, BRASHEARS & GRAHAM, INC. FOR GENERAL HYDRO-GEOLOGICAL CONSULTING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- k. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED FOR ROAD OPENING PERMIT NO. 14-29.**
- l. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES FOR 2014-2015.**
- m. **RESOLUTION AUTHORIZING THE AWARD OF BID FOR ONE (1) 2015 BOOKMOBILE FOR THE MONROE TOWNSHIP LIBRARY.**
- n. **RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948). 2014 Body Armor Replacement Fund Grant in the amt. of \$4,970.62**
- o. **RESOLUTION AMENDING RESOLUTION NO. R-10-2014-254 FOR THE PURCHASE OF ONE (1) SPORT UTILITY VEHICLE (SUV) USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**
- p. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY Z BROTHERS CONCRETE CONTRACTORS, INC. FOR ROAD IMPROVEMENTS AND GUARD RAIL INSTALLATION UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- q. **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED BY Z BROTHERS CONCRETE CONTRACTORS, INC. FOR ROAD IMPROVEMENTS AND MILLING UPON THE POSTING OF A MAINTENANCE GUARANTEE.**
- r. **RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE FORECLOSURES UNDER THE IN REM TAX FORECLOSURE ACT AS EXTRAORDINARY LITIGATION.**
- s. **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) FORD F- 450 CAB & CHASSIS USING THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT (M.T.U.D.)**
- t. **RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. FOR REPRESENTATION OF THE TOWNSHIP IN THE MATTER OF EXTRAORDINARY LITIGATION RELATED TO THE TOLL BROS. INTERSECTION CONDEMNATION.**
- u. **RESOLUTION AMENDING RESOLUTION NO. R-8-2013-193 TO GRANT AUTHORIZATION TO THE DIRECTOR OF THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) TO SIGN ALL APPLICATIONS FOR STATE, FEDERAL, REGIONAL OR LOCAL PERMITS FOR WATER AND SANITARY SEWER PROJECTS ON BEHALF OF THE UTILITY DEPARTMENT.**
- v. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING A MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR VITALI MOSSINTSEV, W&S 1107.**
- w. **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PHOENIX ADVISORS, LLC TO ASSIST THE TOWNSHIP WITH ITS CONTINUING DISCLOSURE REVIEW AND FURTHER AUTHORIZING PARTICIPATION IN THE “MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION” INITIATIVE OF THE DIVISION OF ENFORCEMENT OF THE U.S. SECURITIES EXCHANGE COMMISSION.**

- x. RESOLUTION AUTHORIZING THE AWARD OF BID FOR A GENERATOR FOR THE MONROE TOWNSHIP SENIOR CENTER.
- y. RESOLUTION AUTHORIZING THE PURCHASE OF BOOKS AND MATERIALS FROM BAKER & TAYLOR, INC. FOR THE MONROE TOWNSHIP LIBRARY.
- z. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH AETNA INSURANCE FOR HEALTHCARE INSURANCE FOR CALENDAR YEAR 2015.
- aa. RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED FOR MILLSTONE RIVER PRESERVE (PB-887-03) UPON THE POSTING OF A MAINTENANCE GUARANTEE.
- bb. RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR STONEBRIDGE, PHASE 2 – SECTION 10.
- cc. RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR STONEBRIDGE, PHASE 2 – SECTION 10 (PARTIAL STORM).
- dd. RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOME OWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 1.14, LOT 65.1, MONROE TOWNSHIP, NEW JERSEY.
- ee. RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOME OWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED AT BLOCK 1, LOT 10.02, MONROE TOWNSHIP, NEW JERSEY.
- ff. RESOLUTION AUTHORIZING THE AWARD OF BID FOR MONROE TOWNSHIP SODIUM CHLORIDE (ROCK SALT).
- gg. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH DELTA DENTAL INSURANCE OF NEW JERSEY, INC. FOR CALENDAR YEAR 2015.
- hh. RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO RECOGNIZE AND PRESERVE THE STRENGTH OF LOCAL PENSION FUNDING WHEN CONSIDERING THE RECOMMENDATIONS OF GOVERNOR CHRISTIE'S PENSION AND HEALTH BENEFIT STUDY COMMISSION.
- ii. RESOLUTION AUTHORIZING THE AWARD OF BID FOR MONROE TOWNSHIP SECURITY, FIRE, CAMERAS & ACCESS SYSTEMS.

REPORTS:

Mayor Richard Pucci – Absent, no Reports.

Council President Tamburro announced that he has spoken with the Mayor several times this week and he is home recuperating, doing physical therapy and hopes to be back within the next 10 days or so.

Administrator Wayne Hamilton – commented on the “Water Allocation Bond Ordinance” which was passed this evening and the savings to the Township.

Michael Barnes, Director of the M.T.U.D. – spoke about the location of the wells and where they plan on locating additional wells through the Agreement.

Administrator Hamilton then mentioned that as Union contracts have concluded, the Union employees will be paying towards their health benefits. Dental & Health Insurance premiums will remain the same. Longevity for all new hires after the 1st of the year will be eliminated.

Engineer Mark Rasimowicz – Gave an update on the traffic light status:

- Federal & Perrineville Rd. – Survey working is ongoing. Wetland delineation is being determined and will be submitted to NJDEP for permits as well as Middlesex County.
- Perrineville & Union Valley – County has designed plans. The last remaining parcel for acquisition has been finalized and will be going out to bid in early 2015.
- Forsgate & Applegarth Rd. – JCP&L needs to relocate wires onto new poles in a week or two.
- Buckelew Ave & Spotswood-Englishtown Rd. – also has a utility issue. We are waiting on Verizon to move their lines.

Once the utilities complete their work, the remainder of the projects will move quickly.

Councilman Leibowitz asked if there is an anticipated completion date for the Federal & Perrineville Rd. project and Engineer Rasimowicz stated he did not because it is in the early phases of wetland delineation and land acquisitions and a full design/County approval is needed.

Council Reports:

Councilman Leibowitz - reminded everyone that this weekend is Veterans Day weekend with a number of events taking place within the Township.

Councilman Dalina – followed up on some events from the last meeting. (Halloween Parade & Oktoberfest). Community Service Awards were given to Ron Feldman, Bruce Shore, Jason Seleski and Tony Kalalog.

Councilwoman Schneider – attended the 10th Anniversary of Renaissance @ Monroe. She also attended the “Civil War Living History Day” at the Dey Farm, ribbon cuttings at Subway and First Bank and her first Halloween Parade and Oktoberfest, which is a wonderful community event. She and Vice-President Koppel were invited to “The Orchards” who had a Halloween Parade. She next commented on the importance of the Human Trafficking issue.

Council Vice-President Koppel – commented on Election Day and the work involved. She thanked Sharon Doerfler and office staff for all their hard work.

Council President Tamburro – also commented on the Election and the large number of mail in ballots which resulted in not receiving final numbers from the County on Election Eve and only numbers for Members running for the Board of Election as of this evening.

PUBLIC:

Hy Grossman, 15 Doral Dr. – questioned Item #19.t. asking the amount of add'l fees for condemnation on the Toll Bros. Intersection Improvements and Administrator Hamilton responded - \$20,000, which is reimbursed by Toll Bros.

He next questioned Item #20.w. asking if Phoenix Advisors were already our Financial Advisors and Administrator Hamilton explained that this contract is over and above what they were previously engaged to do and explained the difference. The amount is not to exceed \$2500.

Steve Gorbe, 113 Gravel Hill-Sptwd Rd. – Spoke regarding the “No Parking Signs” on Route 522 and advised Council that they are now all spray painted over. Engineer Rasimowicz will inspect the site and advise the Police Department.

Charles Lerman, 11 Doral Dr. – Questioned Item #20.x. – Bid for Generator for the Senior Center, asking the cost. Council President Tamburro responded \$399,985.

Mr. Lerman asked that with over 40,000 residents in Monroe, how is the infrastructure going to handle a crisis at that Center. Council President Tamburro explained that authorization was given for not only the Senior Center but also the Community Center. In addition, there is \$284,000 coming back to the Township from FEMA to pay for those generators. Also, there is a generator in the Municipal Bldg., some of the Schools will have generators and some of the gated communities have generators in their clubhouses.

Mr. Lerman read a statement into the record, once again, about the Master Plan being flawed because it allows uncontrolled non-age restricted development with little concern about age restricted development.

George Gunkelman, 5 Kelly Court – Questioned Item #13. – PBA Contract setting forth the salaries and wages. Administrator Hamilton explained the contract and further mentioned that Item #14. is for SOA (Superior Officers) contract.

Mr. Gunkelman asked the number of PBA members and Administrator Hamilton stated that the total number of sworn officers is around 57 (Both PBA & Supervisory), which in comparison to towns of our size is significantly lower.

He next asked for an explanation of Item # 20.e. and Administrator Hamilton explained that this Resolution is for a substantial Tax Appeal refund as a result of a State Tax Court Judgment for Barnes & Noble, which was \$320,000. This appropriation allows it to be moved to next year to fund it.

Item #17. – Refunding Bonds, asking if the two Bonds being refunded are an identical amount to the new bonding and Administrator Hamilton explained there is about 7 or 8 years to go on this particular issue. After professional fees, it will yield about \$140,000 in net savings.

Item # 20.ii. – Bid for security, fire, cameras and access systems, asking the dollar amount and Administrator Hamilton responded it is in an amount not to exceed \$60,000. It's a 5 year contract.

Michelle Arminio, 9 Nathaniel St. – Questioned Item #20.dd. asking the amount of the affordable housing repayment agreement and Council President Tamburro responded - \$8,200, (10% of the closing cost).

She next questioned Item #20.t. – Add'l fees to Shain, Schaffer, & Rafanello for extraordinary litigation and Council President Tamburro responded \$20,000 which Toll Bros. reimburses.

Item #20.r. – Authorizing Shain, Schaffer, & Rafanello to handle foreclosures under the In Rem Tax Foreclosure Act. Council President Tamburro responded \$7,500. This is the first of seven properties.

Item #20.f. – Refunding Affordable Housing Developer Fees to Toll to which Administrator Hamilton responded that the refund is in the amount of \$5,930 and Council President Tamburro further explained the situation.

She asked if the town has established the amount of our Affordable Housing obligation and Council President Tamburro responded that we still have not gotten a definitive number.

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Koppel, the Meeting was Adjourned at 8:38pm.

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, Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on December 29, 2014