

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
AGENDA & REGULAR MEETING - JUNE 27, 2011

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

The Agenda Meeting was Called to Order at 7:30 p.m. by Council President Gerald W. Tamburro with a Salute to the Flag.

UPON ROLL CALL by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilwoman Leslie Koppel, Councilmen Michael Leibowitz and Irwin Nalitt, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

ALSO PRESENT for Council were: Mayor Richard Pucci, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain and Shannon Cenci, sitting in for Township Engineer Ernest W. Feist.

ABSENT from this meeting was Township Engineer Ernest W. Feist.

There were approximately twenty-five (25) members of the Public present in the audience.

Council President Gerald W. Tamburro requested the following **SUNSHINE LAW** be read into the record:

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

1. Posted on January 7, 2011 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 7, 2011;
3. Posted on January 7, 2011 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 President.

Council President Tamburro introduced Mayor Pucci who announced that this evening we will be honoring our "Librarian of the Year", Irene Goldberg. He presented Ms. Goldberg with a plaque and gave a brief background on the beginning years of the library.

Council Members offered their comments and best wishes to Irene.

Assemblyman Dan Benson also made a special presentation to Irene.

Scott Crass from Senator Greenstein's office also did a presentation on behalf of Senator Linda Greenstein, who was unable to attend.

Ms. Goldberg thanked everyone for their good wishes and commented that she regarded the Township as her extended family. She feels that a Library is the "heart, soul and comfort" of a community. She thanked everyone for making the library what it is today.

Council President Tamburro read the following entitled **ORDINANCES** for **SECOND READING** at the **MONDAY, JULY 25, 2011** Regular Council Meeting:

- a. **BOND ORDINANCE PROVIDING FOR VARIOUS 2011 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,515,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,393,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**
- b. **BOND ORDINANCE PROVIDING FOR VARIOUS 2011 WATER AND SEWER UTILITY IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,344,500 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$2,344,500 BONDS OR NOTES TO FINANCE THE COST THEREOF.**
- c. **CAPITAL ORDINANCE PROVIDING FOR VARIOUS PROPERTY IMPROVEMENTS TO THE DEY HOMESTEAD PROPERTY, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,300,000 THEREFOR (WHICH AMOUNT IS A \$1,000,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED BY THE TOWNSHIP FROM THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND AN APPROPRIATION OF \$300,000 FROM THE OPEN SPACE TRUST FUND), TO PAY FOR THE COST THEREOF.**
- d. **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 79 THEREOF ENTITLED "POLICE DEPARTMENT, RULES AND REGULATIONS", ARTICLE XII ENTITLED "QUALIFICATIONS OF MEMBERS".**
- e. **ORDINANCE AMENDING SALARY ORDINANCE PROVIDING FOR SALARIES AND WAGES OF POLICE DEPARTMENT PERSONNEL.**
- f. **ORDINANCE AMENDING ORDINANCE NO. O-10-2007-038 ENTITLED "ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE, McKINLEY ROAD AND ROSSINI STREET".**
- g. **ORDINANCE AUTHORIZING THE SALE OF THE VACATED RIGHT-OF-WAY IN AND TO CERTAIN PORTIONS OF BLOCK 109, LOT 1.27.**

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **MONDAY, JULY 25, 2011** Regular Council Meeting:

- a. **ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING THE 2011 – 2014 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY.**
- b. **ORDINANCE PROVIDING FOR THE ACQUISITION OF A DRAINAGE EASEMENT ON A CERTAIN PORTION OF A PARCEL OF LAND IDENTIFIED AS LOT 1.15 IN BLOCK 33 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**
- c. **ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT ON A CERTAIN PORTION OF PROPERTY IDENTIFIED AS LOT 3.01 IN BLOCK 33 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**
- d. **ORDINANCE AMENDING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "STREETS AND SIDEWALKS" ARTICLE I, ENTITLED, "EXCAVATIONS AND OPENINGS".**

Council President Tamburro read the following entitled **RESOLUTIONS** for **CONSIDERATION** at **MONDAY, JULY 25, 2011** Regular Council Meeting:

- a. **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP 2011 PRINTING SERVICES (Group C).** (Award to Creative Print Group in the amt. of \$7,800.08)
- b. **RESOLUTION AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT TO ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT NO. 389, "WELL NO. 20 AND WELL NO. 23 IRON REMOVAL SYSTEM DESIGN" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT("M.T.U.D.).**
- c. **RESOLUTION AUTHORIZING THE PURCHASE OF A SECURITY ALARM SYSTEM FOR THE NEW MONROE TOWNSHIP SENIOR CENTER UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**
- d. **RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A MUNICIPAL ALLIANCE GRANT FOR TERM YEAR 2012.**
- e. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- f. **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR MONROE 33 TENNIS, BASKETBALL & SPORTS CENTER, W-1051 – DRY WATER LINES (PB #1050-07), BLOCK 8, LOT 2.10.**
- g. **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR MONROE TOWNSHIP PUBLICATION.**
- h. **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR TAYLOR RAE TAVERN, LLC T/A DOCK'S CORNER TAVERN FOR THE 2011-12 LICENSE TERM.**
- i. **RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN EQUIPMENT LOAN AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY REGARDING THE USE OF RETRO-REFLECTIVITY INSPECTION EQUIPMENT.**

Mayor Pucci – Will hold comments for the end of the Regular Meeting.

Administrator Hamilton – No Comment

Engineer's Office – No Comment

Public:

Tom Nothstein, 15 Nathaniel St. – congratulated Ms. Goldberg
He questioned Item#6d. – Police Dept. Rules & Regulations – Qualifications of Members. He asked for an explanation. Mr. Hamilton explained that it is adjusting the number of people eligible for promotion based on an increased number of Lieutenants for people that would be considered for Captain & Chief.

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel the Agenda Meeting was Adjourned at 8:00 PM and the Regular Meeting was Called to Order.

ROLL CALL:	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Councilman Irwin Nalitt	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tanburro	Aye

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Leibowitz, the **CLAIMS** per run date **6/22/11 (M.T.U.D. and TWP)** were approved for payment as presented.

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Nalitt, the **MINUTES** of the **May 2, 2011 Regular Meeting** were approved as written and presented.

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **BOND ORDINANCE PROVIDING FOR VARIOUS 2011 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,515,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,393,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

ORDINANCE as follows (O-6-2011-017)

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 as general improvements or purposes to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$2,515,000, said sum being inclusive of the sum of \$121,400 as the aggregate amount of down payments for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 *et seq.* (the "Local Bond Law"). The aggregate down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,515,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$2,393,600 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,393,600 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financial of which said obligations are to be issued include, but are not limited to the following:

(i) Acquisition of a collection of library books for general circulation and deposit in and for use by the Township free public library, a lawful public purpose; and	\$200,000	\$190,400	\$9,600	5 years
(ii) Various roadway and sidewalk improvements to various roads in the Township, including but not limited to, all such improvements including but not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks, driveway aprons, retaining walls and curb ramps, drainage work, site work, clearing, tree removal, roadway painting, landscaping and other aesthetic improvements; and	\$600,000	\$571,200	\$28,800	20 years
(iii) Various drainage improvements and refurbishing within the Township; and	\$150,000	\$142,800	\$7,200	10 years
(iv) Various traffic signal improvements to Perrineville Road and Federal Road; and	\$350,000	\$333,200	\$16,800	7 years
(iv) Various traffic signal improvements to Route 522 and the Regency in the Township; and	\$250,000	\$238,000	\$12,000	7 years
(v) Various road improvements to Disbrow Hill Road; and	\$180,000	\$171,000	\$9,000	10 years
(vi) Various municipal facility improvements, including but not limited to, the acquisition and installation, as applicable of a security system for the Police Department, various security improvements for EMS and Administration; and	\$285,000	\$271,000	\$14,000	10 years
(vii) Various intersection improvements for Prospect Plains Road and Applegarth Road.	\$500,000	\$476,000	\$24,000	10 years
TOTALS	<u>\$2,515,000</u>	<u>\$2,393,600</u>	<u>\$121,400</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,393,600.

(c) The aggregate estimated cost of said improvements or purposes is \$2,515,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the aggregate amount of the down payments available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, 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.

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.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times 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 N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a 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 Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and 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, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Township and is 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 which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said 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 11.27 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, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt 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 \$2,393,600 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 \$1,056,000 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 herein before described.

SECTION 8. 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. 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 principal 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 \$2,393,600. 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 bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond 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 Councilwoman Koppel and Councilman Nalitt 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 VARIOUS 2011 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,515,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,393,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-017

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **BOND ORDINANCE PROVIDING FOR VARIOUS 2011 WATER AND SEWER UTILITY IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,344,500 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$2,344,500 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

ORDINANCE as follows (O-6-2011-018)

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 \$2,344,500 from the Water and Sewer Utility of the Township, said sum being inclusive of all appropriations heretofore made therefor. 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 improvements described in Section 3 hereof, negotiable bonds of the Water and Sewer Utility of the Township are hereby authorized to be issued in the aggregate principal amount of \$2,344,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Township in an aggregate principal amount not exceeding \$2,344,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to the following:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Acquisition and installation of various water meters and other appurtenances at various locations throughout the Township, including all necessary equipment and apparatus thereof; and	\$1,000,000	\$1,000,000	\$0 Pursuant to N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, no down payment is required.	10.00 years
(ii) Various improvements to Well 21, including but not limited to, resin replacement, including all necessary equipment and apparatus thereof; and	\$200,000	\$200,000	\$0 Pursuant to N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, no down payment is required.	40.00 years
(iii) Various sewer improvements, including but not limited to, the force main replacement for pump station number 7, refurbishment of pump station number 3, electronic modifications to sewer pumps at Ashmall pump station, the acquisition and replacement of sewer pump number 2 VFD at pump station number 2, the acquisition and replacement of flow meters at pump station numbers 9 and 10, the acquisition and installation of new I&I meters, the acquisition of replacement water and sewer utility trucks, the replacement of check valves, as applicable, for Forsgate pump station number 2 and sewer pump station number 3, the acquisition and replacement of Grit equipment, the rebuilding of Sewer Pump Motor number 2 and pump station number 1, the removal and service of the sewer pump at pump station number 8, the replacement of door at pump station number 1, the acquisition and installation of 12 manhole frames and lids, and the preparation of energy audit recommendations, and also including the acquisition and installation of various necessary equipment and apparatus thereof, for the Water and Sewer Utility of the Township.	\$1,144,500	\$1,144,500	\$0 Pursuant to N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, no down payment is required.	30.91 years
TOTALS	<u>\$2,344,500</u>	<u>\$2,344,500</u>	<u>\$0</u>	

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,344,500.

(c) The estimated cost of said improvements or purposes is \$2,344,500.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, 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.

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 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 22.77 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 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 \$2,344,500 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 \$203,000 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 \$2,344,500. 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.

There was no Council or Public discussion of this Ordinance.

As Councilman Koppel and y Councilman Nalitt 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 VARIOUS 2011 WATER AND SEWER UTILITY IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$2,344,500 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$2,344,500 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-018

UPON MOTION made by Councilman Nalitt and seconded by Council Vice-President Miller, an Ordinance of which the following is the title was moved on second reading for final passage: **CAPITAL ORDINANCE PROVIDING FOR VARIOUS PROPERTY IMPROVEMENTS TO THE DEY HOMESTEAD PROPERTY, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,300,000 THEREFOR (WHICH AMOUNT IS A \$1,000,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED BY THE TOWNSHIP FROM THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND AN APPROPRIATION OF \$300,000 FROM THE OPEN SPACE TRUST FUND), TO PAY FOR THE COST THEREOF.**

ORDINANCE as follows (O-6-2011-019)

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital improvements or purposes described in Section 2 of this capital ordinance are hereby authorized as general capital improvements to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 2 hereof, there is hereby appropriated the sum of \$1,300,000, said sum consisting of a grant totaling \$1,000,000 (the "Grant") received or expected to be received by the Township from the County of Middlesex, State of New Jersey (the "County") and \$300,000 now available for said improvements or purposes from the Open Space Trust Fund (the "Open Space Trust Fund Appropriation").

SECTION 2. The capital improvements or purposes hereby authorized are various property improvements to the Dey Homestead Property (the "Property"), including but not limited to, as applicable, various rehabilitation and construction of the barn, various ancillary parking lot and site improvements, the acquisition and installation of a property entrance sign, various landscaping improvements, various completion and construction improvements to the Baird/England Road House at the Property, various improvements to and the erection of the Prospect Plains Schoolhouse at the Property, and all engineering, work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto, all in accordance with the plans and specifications therefore on file in the office of the Township Clerk and hereby approved.

SECTION 3. The expenditure of the \$1,300,000 aggregate appropriation from the Grant and Open Space Trust Fund Appropriation for the improvements or purposes set forth in Section 2 hereof is hereby authorized and approved.

SECTION 4. The capital budget of the Township is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and 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, New Jersey Department of Community Affairs is on file in the office of the Clerk and is available for public inspection.

SECTION 5. This ordinance shall take effect immediately after final adoption, approval by the Mayor and in accordance with New Jersey 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 Councilman Nalitt and Council Vice-President Miller regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **CAPITAL ORDINANCE PROVIDING FOR VARIOUS PROPERTY IMPROVEMENTS TO THE DEY HOMESTEAD PROPERTY, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,300,000 THEREFOR (WHICH AMOUNT IS A \$1,000,000 GRANT RECEIVED OR EXPECTED TO BE RECEIVED BY THE TOWNSHIP FROM THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND AN APPROPRIATION OF \$300,000 FROM THE OPEN SPACE TRUST FUND), TO PAY FOR THE COST THEREOF.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-019

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 79 THEREOF ENTITLED "POLICE DEPARTMENT, RULES AND REGULATIONS", ARTICLE XII ENTITLED "QUALIFICATIONS OF MEMBERS".**

ORDINANCE as follows (O-6-2011-020)

BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 79 of the Monroe Township Code entitled "Police Department, Rules and Regulations", Article XII entitled "Qualifications of Members" be amended and supplemented as follows: (~~Strikethrough~~ text is deleted from the Code, underlined text is new)

SECTION 1.

§ 79-90.1. Specific qualifications.

A. Captain.

- (1) One (1) year as Lieutenant in the Monroe Township Police Department or a police department of comparable size.
- (2) If there are more than ~~three (3)~~ four (4) eligible candidates for the position of Captain, the candidates shall successfully complete the written and oral examination given by the New Jersey State Chiefs of Police Association. If there are ~~three (3)~~ four (4) or less eligible candidates for the position of Captain, the Chief of Police, with the approval of the Mayor, shall appoint a candidate to fill the position without requiring the candidates to take the examination given by the New Jersey State Chiefs of Police Association.
- (3) One-year probationary period.

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 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.

There was no Council or Public discussion of this Ordinance.

As Councilman Nalitt and Councilwoman 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 AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 79 THEREOF ENTITLED "POLICE DEPARTMENT, RULES AND REGULATIONS", ARTICLE XII ENTITLED "QUALIFICATIONS OF MEMBERS"**.

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-020

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING SALARY ORDINANCE PROVIDING FOR SALARIES AND WAGES OF POLICE DEPARTMENT PERSONNEL.**

ORDINANCE as follows (O-6-2011-021)

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

SECTION 1. The Police Department Salary and Wage Ordinance is hereby amended as follows:

Each private party receiving police services shall be charged a fee as follows per officer utilized for the service. The following hourly fees shall be paid to police department personnel of the Township of Monroe as hereinafter specified, effective January 1, 2011.

<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
\$90.00	\$92.00	\$94.00	\$96.00

In the event the police services are provided on a holiday acknowledged in the PBA/SOA contract, the fee for such service shall be as follows:

<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
\$120.00	\$123.00	\$126.00	\$129.00

SECTION 2. 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 this ordinance shall be deemed valid and effective.

SECTION 3. All ordinance or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. 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 Councilman Leibowitz and Councilman Nalitt 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 SALARY ORDINANCE PROVIDING FOR SALARIES AND WAGES OF POLICE DEPARTMENT PERSONNEL.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
 O-6-2011-021

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING ORDINANCE NO. O-10-2007-038 ENTITLED "ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE, MCKINLEY ROAD AND ROSSINI STREET".**

ORDINANCE as follows (O-6-2011-022)

WHEREAS, on October 1, 2007, the Monroe Township Council passed Ordinance Number O-10-2007-038 entitled "Ordinance of the Monroe Township Council Releasing, Vacating and Extinguishing any and all Public Rights in and to a Portion of Duchess Drive, McKinley Road and Rossini Street" (the "Right-of-Way 'R-O-W' Vacation Ordinance"); and

WHEREAS, Mayor Richard Pucci approved the R-O-W Vacation Ordinance on October 2, 2007; and

WHEREAS, the R-O-W Vacation Ordinance was recorded with the Clerk of Middlesex County in Book 12, at Page 381 et seq. on December 11, 2007; and

WHEREAS, the R-O-W Vacation Ordinance vacated, released and extinguished the public rights in and to certain portions of Duchess Drive, McKinley Road and Rossini Street, which are within Blocks 109 and 109.15, as shown on Tax Map Sheets Number 88.03 and 87.06, as more particularly described in the metes and bounds descriptions and variance maps compared by Amertech Engineering, Inc., copies of which were attached thereto as Exhibit "A"; and

WHEREAS, a description of a sanitary sewer easement ("Easement") was erroneously attached as part of Exhibit "A" to the R-O-W Vacation Ordinance; and

WHEREAS, it was never the intention of the Township to vacate the Easement; and

WHEREAS, the Easement was held by the Monroe Township Municipal Utilities Authority and Monroe Township, had no authority to vacate the Easement when it passed the R-O-W Vacation Ordinance; and

WHEREAS, the R-O-W Vacation Ordinance was potentially ambiguous as to the reservation of the Easement; and

WHEREAS, the Monroe Township Municipal Utilities Authority has since been dissolved and the Easement is now held by Monroe Township.

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

1. Paragraph 1 of Ordinance Number 0-10-2007-038 is amended *nunc pro tunc* as follows:

The public rights and interests in the portion of Duchess Drive, McKinley Road and Rossini Street, as described in attached Exhibit "A", are hereby vacated and released, subject to the sanitary sewer easement reserved to Monroe Township by merger with the Monroe Township Municipal Utilities Authority, as more fully described in the metes and bounds description attached hereto as Exhibit "D".

2. Exhibit "A" to the R-O-W Vacation Ordinance is replaced *nunc pro tunc* by the documents attached hereto as Exhibit "1".

3. The description of the Easement attached hereto as Exhibit "2" is added as Exhibit "D" to the R-O-W Vacation Ordinance, and incorporated therein, *nunc pro tunc*.

4. The Certified Municipal Finance Officer is hereby authorized to pay the fee charged by the Middlesex County Clerk for recording this Ordinance, and for making a notation of this Amendment on the R-O-W Vacation Ordinance recorded at Book 12, Page 381, and the Township Clerk shall file a certified copy of this Ordinance with the Middlesex County Clerk.

SO ORDAINED, as aforesaid.

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

Councilman Leibowitz questioned the location of the vacated right-of-way and Shannon Cenci, sitting in for Township Engineer Feist advised it is off Avenue K.

As Councilman Leibowitz and Councilwoman 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 AMENDING ORDINANCE NO. O-10-2007-038 ENTITLED "ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF DUCHESS DRIVE, MCKINLEY ROAD AND ROSSINI STREET"**.

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-022

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Nalitt, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AUTHORIZING THE SALE OF THE VACATED RIGHT-OF-WAY IN AND TO CERTAIN PORTIONS OF BLOCK 109, LOT 1.27.**

ORDINANCE as follows (O-6-2011-023)

WHEREAS, on October 2, 2007, by way of Ordinance Number 0-10-2007-038, as amended, the Township of Monroe released, vacated and extinguished any and all public rights in and to certain portions of McKinley Road and Duchess Drive, which are within Lot 1.27 and Block 109 as shown on the Monroe Township Tax Map, as more particularly described in the metes and bounds descriptions attached hereto as Exhibit "A" (the "Property"); and

WHEREAS, the current owner of Block 109, Lot 1.27, Emilio Development, Inc., has offered to purchase the Property; and

WHEREAS, Timothy Hoffman, an Appraiser licensed by the State of New Jersey, has advised that the fair market value of the Property is \$20,300.00;

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 Township is hereby authorized to sell the Property to Emilio Development, Inc., for the sum of \$20,300.00.

Section 2. Emilio Development, Inc. shall pay all costs associated with the sale.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey the property to Emilio Development, Inc., provided the documents are in a form satisfactory to the Township attorney.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. If any section, subdivision, sentence, 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 6. 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.

There was no Council or Public discussion of this Ordinance.

As Councilman Leibowitz and Councilman Nalitt regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AUTHORIZING THE SALE OF THE VACATED RIGHT-OF-WAY IN AND TO CERTAIN PORTIONS OF BLOCK 109, LOT 1.27.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-6-2011-023

UPON MOTION made by Councilman Nalitt and seconded Councilman Leibowitz, 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: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and seconded Councilman Leibowitz, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF A DRAINAGE EASEMENT ON A CERTAIN PORTION OF A PARCEL OF LAND IDENTIFIED AS LOT 1.15 IN BLOCK 33 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

Councilman Leibowitz questioned if this involved one of the future traffic lights to which Council President Tamburro responded that it involves the traffic light at Mount Mills, Hoffman Station & Route 522 intersection.

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT ON A CERTAIN PORTION OF PROPERTY IDENTIFIED AS LOT 3.01 IN BLOCK 33 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

ROLL CALL: Councilwoman Leslie Koppel	Aye
Councilman Michael Leibowitz	Aye
Councilman Irwin Nalitt	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE AMENDING CHAPTER 105 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "STREETS AND SIDEWALKS" ARTICLE I, ENTITLED, "EXCAVATIONS AND OPENINGS"**.

ROLL CALL:	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Councilman Irwin Nalitt	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.

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

ROLL CALL:	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Councilman Irwin Nalitt	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

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

- R-6-2011-156** **RESOLUTION AUTHORIZING AWARD OF BID FOR MONROE TOWNSHIP 2011 PRINTING SERVICES (Group C).** (Award to Creative Print Group in the amt. of \$7,800.08)

- R-6-2011-157** **RESOLUTION AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT TO ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT NO. 389, "WELL NO. 20 AND WELL NO. 23 IRON REMOVAL SYSTEM DESIGN" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT("M.T.U.D.").**

- R-6-2011-158** **RESOLUTION AUTHORIZING THE PURCHASE OF A SECURITY ALARM SYSTEM FOR THE NEW MONROE TOWNSHIP SENIOR CENTER UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.**

- R-6-2011-159** **RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A MUNICIPAL ALLIANCE GRANT FOR TERM YEAR 2012.**

- R-6-2011-160** **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**

- R-6-2011-161** **RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR MONROE 33 TENNIS, BASKETBALL & SPORTS CENTER, W-1051 – DRY WATER LINES (PB #1050-07), BLOCK 8, LOT 2.10.**

- R-6-2011-162** **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR MONROE TOWNSHIP PUBLICATION.**

- R-6-2011-163** **RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FOR TAYLOR RAE TAVERN, LLC T/A DOCK'S CORNER TAVERN FOR THE 2011-12 LICENSE TERM.**

**R-6-2011-164 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK
TO EXECUTE AN EQUIPMENT LOAN AGREEMENT BETWEEN THE
TOWNSHIP OF MONROE AND RUTGERS, THE STATE UNIVERSITY
OF NEW JERSEY REGARDING THE USE OF RETRO-REFLECTIVITY
INSPECTION EQUIPMENT.**

Copies of Resolutions Duly Filed.

Mayor Pucci – spoke of a meeting he had with the Commissioner Griffa of Community Affairs, and that one of the items discussed was Affordable Housing Funds. He advised her there are some funds available for regional contribution of approximately seven million dollars that had been cancelled during the last go-round with Affordable Housing. In the discussions with the Commissioner Griffa, one of the issues raised that would be vital in Monroe Township is to develop an Affordable Housing Program with a special emphasis on disabled veterans. A determination was made to have a follow-up meeting in Trenton with different parties involved to further discuss the possibilities.

Administrator Hamilton – explained that John Katerba, our local Historian and Chairman of the Historic Preservation Commission, was unavailable to attend tonight's meeting but wanted to extend, on behalf of the members of the Historic Preservation Commission, their appreciation for the advancement of the funding for the Dey Farm Improvements.

Engineer's Report – Shannon Cenci hoped everyone would enjoy the fireworks on the 4th of July and also enjoy the new lighting in the Municipal Complex Parking Lot.

Council Reports:

Councilwoman Koppel - mentioned she had attended the Patrons of the Arts meeting this evening and advised that the summer concert series will be starting this Thursday in Thompson Park.

On July 12th two family movies will be shown in the Hockey Rink at the Community Center starting at 8:30 pm. On July 12th it will be "Yogi Bear" and on July 26th "Despicable Me".

Councilman Leibowitz – announced that on July 18th there will be a Golf Tournament sponsored by the East Brunswick VFW. In addition, work on the Pascik house is progressing with approximately 20 volunteers working on it every weekend. Labor & equipment is being donated.

He further mentioned that Mr. Hamilton chaired the first Fire Consolidation Study Meeting to determine if and how we will consolidate the various fire districts. It was a good meeting and he explained the composition of the Committee, which included two people from the public. Administrator Hamilton presented an Agenda and an agreement to keep the public informed and to allow them some input. It will not be at every meeting. These are workshop meetings and not subject to the Sunshine Law.

Councilman Nalitt – attended the New Jersey Symphony Concert put on by the Cultural Arts, and it was an outstanding performance.

Council President Tamburro – stated that he, along with the Mayor and other Council Members also attended the New Jersey Symphony Concert and agreed that it was excellent.

He further advised that he had also attended the New Jersey Training School Graduation and it was a proud moment for the School and for their families. The motivational speakers who spoke at the graduation were very, very moving.

Council Vice-President Miller – stated that as a member of the Historic Commission, he and the members wished to thank the Administrator Hamilton for all the time he spent in putting together the Grant for the Dey Farm. He also thanked the Mayor for his support.

PUBLIC:

George Gunkelman, 5 Kelly Court – questioned Item #28.i. – Loan Agreement between the Township & Rutgers regarding the use of retro-reflectivity inspection equipment. Administrator Hamilton explained that it is a piece of equipment that is used for uniform traffic control devices.

He then asked how the 1.3 Million for the Dey Farm will be gotten and Administrator Hamilton explained the Grant received and the financing involved.

Audrey Cornish, Schoolhouse Rd. - spoke of a bad experience with the First Aid Squad on Friday and how they had refused to take a patient (a neighbor of hers) to JFK Hospital where his doctors are. They would only take the patient to the three surrounding hospitals. Administrator Hamilton explained the Townships' protocol on the matter.

UPON MOTION made by Councilman Nalitt and seconded by Councilwoman Koppel the Regular Meeting was Adjourned at 8:40pm.

ROLL CALL:	Councilwoman Leslie Koppel	Aye
	Councilman Michael Leibowitz	Aye
	Councilman Irwin Nalitt	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____