

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING - - AUGUST 6, 2012

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 with a Salute to the Flag.

UPON ROLL CALL by Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Stephen Dalina, Councilwoman Leslie Koppel, Council Vice-President Henry L. Miller and Council President Gerald W. Tamburro.

ABSENT: Councilman Michael Leibowitz

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

There were approximately 145 members of the Public present in the audience.

Council President 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 6, 2012 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 the **CRANBURY PRESS** on January 6, 2012;
3. Posted on January 6, 2012 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 asked the Business Administrator, Wayne Hamilton, to address the "Tax Increase".

Administrator Hamilton explained that real estate values have declined considerably since the recession began. In 2010 there were 2751 Tax Appeals filed; in 2011 there were 2007 Tax Appeals filed and in 2012 there were 986 Tax Appeals filed.

The number of Tax Appeals equates to approximately 1/3 of the residential tax base. Most of the Appeals were successful at the Middlesex County Board of Taxation because of the decline in real estate values. As a result, the refunds and credits that were issued in 2010 and 2011, but not including 2012, totaled 11.4 Million Dollars. This equates to 31.6 tax points. The way the law is written by the State of New Jersey, the full burden of the tax refunds hits the Municipal Budget. Notwithstanding that, the School, County and Fire Districts make up another portion of the "tax pie". Full impact closed in on the Municipal portion of that "tax pie". With commercial Tax Appeals, a municipality is allowed to spread the refunds out over a 3 year period. The law, up until this year, did not allow that for residential Tax Appeals, so a municipality had to sustain it totally. The total assessed value of the municipality decreased by one hundred and forty million dollars in that period of time in which we were dealing with Tax Appeals, despite the fact that 618 certificates of occupancy were issued. The net number was 140 million but it would have been much worse had we not had the additional homes to offset the burden. It is a continuing loss of revenue to all of the pieces of the pie, equating to 5.2 million dollars a year. To compound things, State Aid to municipal government has been reduced to a cumulative amount of 1.748 million dollars to the municipal government, the equivalent of 5 tax points, while simultaneously State Aid to the schools has been reduced to the accumulative amount of \$12,471,000, or the equivalent of 43.5 tax points. This all means that through this period our

cash surplus balances have been substantially exhausted. In 2008 a decision was made to utilize those balances to weather the storm and keep the municipal taxes as low as possible. The Township has continued to do so and now we have to diminish the reliance on diminishing cash balances.

The Administrator further explained what the Township is doing. The debt service only increased .0057% (increase in appropriations). The debt service is exempt from the 2% Cap. There are various exclusions to the levy cap which are pensions, cost of debt service and capital improvements, health benefits and cost of emergencies. He then proceeded to name the various things that will improve the tax base in the future. He ended with stated that these are the facts as to where we are and have been.

Public:

Mark Klein, 53 Turnberry Dr. – spoke about what Trenton has done to the schools with their cuts to school aid. He encouraged the people to attend the Board of Education meetings and voice their opinions on the over-spending & waste of money.

Harold Lichtenstein, 1 Turrey Pines Drive – stated he came from Long Island with a ½ acre of land and now his property is a little larger than a cemetery plot and he is paying more here now than in Long Island. He feels this information was known for years and the town should have planned better.

Ronald Zeglarski, 162 Tournament Dr. – stated he does not feel the school budget is a major issue in the tax increase. In the Municipal Budget taxes were increased by 8.6 million dollars. Most of that it seems came from debt service. He understands the large number of Tax Appeals and their ramifications but why such an increase in the debt service between 2011-2012? Administrator Hamilton explained there has not been a permanent bond sale in a number of years. This year a bond sale was done because there is a maximum amount of years you can continue to do short term borrowing or what is known as bond anticipation notes. Last week 30 million dollars of bonds were sold along with 3 million dollars in bond anticipation notes. All was factored into repayment schedules that were crafted as part of the Municipal Budget, thereby creating the additional budget appropriation. In going into the bond sale, the township was rated with an “AA” stable outlook. Bond Anticipation Notes were rated as SP1Plus, the highest rating given. As a result of these ratings, the township achieved an interest rate of 2.17% for the bonds and .253% for the Bond Anticipation Notes. **Mr. Zeglarski** reiterated that the real reason for the tax increase in the municipal portion of the budget is the debt service. Administrator Hamilton stated that debt service is only half of the picture. The other half is the reduced reliance on revenue.

Alan Kahn, 11 Crenshaw Ct. – stated that his municipal tax rate went up 41%. He then spoke about the Tax Appeals and Revaluation, asking when the last time a revaluation was done. Administrator Hamilton explained that litigation was filed against Monroe regarding revaluations but Monroe did not want to make the same mistake as other municipalities in conducting a revaluation before the market bottomed out. These towns ended up with several thousand Tax Appeals after the revaluation which costs several million dollars.

Mr. Kahn stated that it is because of the Regency lawsuit against the Township that the revaluation is now in the progress. It could have been avoided.

Mayor Pucci stated that if you look at the record, there is probably three quarters of the communities in Middlesex County whose equalization ratio is far below Monroe Townships'. Second, if Monroe did not fight the case for four years, new numbers would be put on the books, two million dollars would have been spent for the revaluation and those new numbers would have dropped down between 70-75% because those were the two worst real estate years. That is why the decision was made to delay the revaluation.

Jerry Krzyzkowski, 3 Glenn Eagle Way – spoke about the utilization of the utility surplus and asked what was anticipated for next year. Mayor Pucci once again explained that the State did not allow the refund of Tax Appeals over a five year period. The township had to sustain it totally. He further stated that the debt service should be stable next year. He also explained how the equalization rate is being calculated.

Michele Arminio, 9 Nathaniel St. – stated she has not seen much in changing the rising spending. She stated that in the last 3 years of budget workshops not much was cut and feels there is a lot of waste in some of the spending. The extraordinary spending needs to be curtailed. Suggested that perhaps hiring an in-house attorney is needed. She does not want the resident services threatened but to take a look at other areas of spending.

Mayor Pucci responded that everyone is aware of the importance of watching and being careful with tax dollars. The impact the recession has placed on the housing industry is tremendous. This is something that can't be resolved overnight.

Patrick Mahon, 9 Legends Drive – asked “what is the revenue that we expect to generate over the next two years based on the tax increase”? Council President Tamburro explained that with the Tax Appeals, if the number was 7.5 million dollars that had to be refunded, 60% of that went to attorneys. The homeowner, the first year, did not get the benefit of the 7.5 million dollars. Administrator Hamilton explained that the tax increase, as it relates to the municipal portion, is an 8 million dollar increase.

Mr. Mahon asked what is going to be generated over the next two years and Administrator Hamilton explained that the tax revenue is going from 20 to 30 million.

Mayor Pucci added that we have about 20,000 properties in Monroe Twp. that are taxable. It is estimated that about 18,000 are residential and the population is estimated at 42,000.

Mr. Mahon is concerned about what will happen in 2014 with the revaluation and Mayor Pucci responded that the town was confronted with over 6,000 Tax Appeals out of 18,000 residents. The town is still confronted with the potential of Tax Appeals next year. That would be the final year. When they get to next year's budget, the School Boards portion of the budget is about 58%, the township is 25%, the County is 20% and the Fire is the balance. In the last few years the town was confronted with the massive Tax Appeals and now the budget process has been solidified, the bonded debt has been rectified and the surplus use is under control and the town can now move forward. The municipal portion will be back to where it should be and the Board of Education is capped. The Fire Districts – an analysis was done and they will be under control – they will not going up, if anything, they should be going down, and when the revaluation is done, the County portion should be reduced.

Mr. Mahon also commented on the senior communities being on fixed incomes and paying the taxes that they are paying. He asked “who is responsible for the budget” and Council President Tamburro responded that Administration prepares the budget, the Council holds budget hearings after it's preparation and then there is Public comment before being adopted. Mr. Mahon stated that after being hit with Tax Appeals the first year, it certainly should have been identified that there was an issue.

The tape was changed at 8:00pm.

Ed Cohen, 116 Chichester Rd. - presented facts about East Brunswick, advising their ratio is 22%. The last time East Brunswick was revaluated was in 1982. In 2010 he filed a Tax Appeal and his taxes were reduced to \$6100. In 2012 his taxes were increased to \$6800. He believes the Township Council has done an effective job in controlling expenses and providing necessary services. He commended the Town for taking the utility monies and instead of spending it, it was utilized so that taxes were not increased.

Robert Roche, 18 Muirfield Blvd. - feels the town had a hand in the School Budget when it was defeated. Council President Tamburro added that the Council reduced their budget by nearly 2.3 million dollars. The State law has now changed and as long as they keep within the 2% Cap, no voter approval is required. Board of Education elections are now included as part of the November Elections. Mr. Roche stated he still feels that Council did not take enough from the Board of Education budget. He also wondered why the Council hadn't anticipated what to do when the Reserves ran out. Administrator Hamilton stated that no one could have anticipated that the recession would be as long or deep as it turned out to be.

Hy Grossman, Doral Drive – Felt that the Administration did not properly prepare or anticipate the problem with the economy & Tax Appeals.

Charles Lerman, Doral Drive – feels that more senior attendance at the Board of Education Meetings is needed since the school taxes are 60% of our budget.

Rob Cugini, 25 Pine View Court - stated his concern is the Tax Appeal process which he does not fully understand. He asked if we are looking at a similar event next year and Mayor Pucci stated that even though the town was not able to spread the cost of the Tax Appeals out over a 5 year period, there is now an option available with the State for a payout over 3 years. He also added that the “rule of thumb” on revaluations is that 1/3 of the properties go up, 1/3 goes down and 1/3 stays the same.

Administrator Hamilton added that with 1/3 of the properties filing Appeals, it really is not known what will happen. Also the amount of State Aid given to Monroe, according to the formula Trenton uses, was discussed.

Frank Esposito, 6 Evergreen Terrace – stated he is annoyed at the direction some of the people in the town are taking and perhaps they need to do with less. We are a “community” of not old people against the young. We are not getting additional aid from Trenton because we are “over adequate”. To him this means we are doing a good job.

A ten minute Recess was taken at 8:35 pm and recalled to Order at 8:45pm.

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, the **CLAIMS** per run date of **07/30/2012** were approved for payment as presented.

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Miller, the **MINUTES** of the **June 25, 2012 Special & Agenda Meetings** were approved as written and presented.

ROLL CALL: Councilman Stephen Dalina	Abstained
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN, AND CANCELLING AND REPEALING BOND ORDINANCE NUMBER O-2-2012-001.**

ORDINANCE as follows: (O-8-2012-020)

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. Bond ordinance number O-8-2000-026 finally adopted on August 28, 2000 by the Township of Monroe, in the County of Middlesex, State of New Jersey (the “Township”) entitled, “BOND ORDINANCE PROVIDING FOR VARIOUS 2000 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 \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,428,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF, “ as

amended by bond ordinance number O-10-2001-035 finally adopted by the Township Council on October 1, 2001, bond ordinance number O-12-2002-048 finally adopted by the Township Council on December 2, 2002, bond ordinance number O-8-2003-029 finally adopted by the Township Council on August 4, 2003, bond ordinance O-12-2003-053 finally adopted by the Township Council on December 29, 2003, bond ordinance number O-12-2005-054 finally adopted on December 5, 2005, bond ordinance number O-6-2006-120 finally adopted on June 26, 2006, bond ordinance , bond ordinance number O-9-2008-021 finally adopted on September 3, 2008, and bond ordinance number O-2-2012-001 finally adopted on February 6, 2012 (collectively the “Original Ordinance”), is hereby amended and supplemented to the extent and with effect as follows:

SECTION 2. Sections 3(a)(i) and (ii) of the Original Ordinance are hereby amended in their entirety to read as follows:

<u>“Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(ii) Acquisition of development rights to various properties within the Township for farmland preservation purposes, including, but not limited to, as applicable, Block 11, Lot 5.14, Block 19, Lot 4, Block 20, Lot 22, Block 22, Lots 2.03 and 2.04, Block 31, Lot 13.02, Block 60, Lots 28.02 and 29.232, Block 81, Lots 4 and 5.01, Block 83, Lot 6.09, Block 36, Lots 15 and 14, and Block 54, Lot 7.1 including all work and materials necessary therefor and 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; and	\$450,000	\$428,550	\$21,450	15 years”

SECTION 3. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory 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 Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 4. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 5. Bond Ordinance Number O-2-2012-001 of the Township heretofore finally adopted by the Township Council on February 6, 2012 is hereby cancelled and repealed.

SECTION 6. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

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

Michele Arminio, 9 Nathaniel St. – asked if any of the principal was “paid off” on this bond and Administrator Hamilton stated he is not sure if this bond was included in the last bond sale but will check. She then asked the purpose for the amendment and Administrator Hamilton explained that it is just the description that is changing. It is a running bond ordinance that is amended with properties that the township is looking at for open space & farmland preservation. The original appropriation was in the amount of 6.9 million dollars and is funded by the open space trust fund and \$450,000 for farmland preservation. The amendment is just to add property descriptions, with no change in the dollar amount.

As Councilwoman 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: **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION SET FORTH THEREIN, AND CANCELLING AND REPEALING BOND ORDINANCE NUMBER O-2-2012-001.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-020

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-3-2006-010 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON MARCH 27, 2006 (WHICH PROVIDES FOR VARIOUS 2006 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE APPROPRIATIONS, AUTHORIZATIONS AND DOWN PAYMENTS THEREIN.**

ORDINANCE as follows: (O-8-2012-021)

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 bond ordinance of the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"), heretofore finally adopted by the Township Council on March 27, 2006, number O-3-2006-010, entitled: "BOND ORDINANCE PROVIDING FOR VARIOUS 2006 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 \$20,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$18,839,275 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF," as amended and supplemented by Bond Ordinance Number O-12-2007-041 finally adopted on December 3, 2007 and Bond Ordinance Number O-1-2009-004 finally adopted on January 5, 2009 (collectively the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvement or purpose described in Section 3(c) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$600,000, said sum to be inclusive of \$28,600 as the amount of an additional down payment required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payments or for capital improvement purposes. The amount of appropriation required by the Local Bond Law for the improvement or purpose contained in Section 3(c) of the Original Ordinance shall be increased by \$600,000 from \$12,150,000 and shall equal the amount of \$12,750,000. The amount of down payment required by the Local Bond Law for the improvement or purpose contained in Section 3(c) of the Original Ordinance shall be increased by \$320,000 from \$577,200 and shall equal the amount of \$605,800. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$600,000 from \$26,700,000 and shall equal the amount of \$27,300,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by \$28,600 from \$1,272,500 to equal \$1,301,100. Therefore, Sections 3(c) is hereby amended and restated to read in its entirety as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(c) construction of a new Senior Center to be located on Property to be acquired by the Township including, but not limited to, the excavation and site preparation, the construction and installation of a 26,000 to 27,000 square foot building having a useful life or durability at least equal to that of a <u>Class B</u> structure (as defined under the Local Bond Law), to provide for program, storage, multi-purpose and coat rooms, Lobby, reception and lounge areas, bathrooms, a kitchen and office space, including the acquisition of, as necessary, furnishings, plumbing, electrical work and all associated paving, curbing, site restoration, landscaping and other aesthetic improvements.	\$12,750,000 (includes) \$108,225 2006 HCD Grant, \$108,225 2007 HCD Grant and \$100,000 State Grant)	\$11,827,750	\$605,800	30 years”

SECTION 3. In order to finance the cost of the improvement or purpose set forth in Section 3(c) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment and the Grants, additional negotiable bonds or notes of the Township in the amount of \$571,400 are hereby authorized to be issued by the Township, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvement or purpose stated in Section 3(c) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$571,400 from \$11,256,350 and shall equal the amount of \$11,827,750. The total authorization of negotiable bonds or notes to be issued by the Township for the improvement or purpose stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$571,400 from \$25,111,050 and shall equal the amount of \$25,682,450.

SECTION 4. The capital budget of the Township is hereby amended to conform with the provisions of this amendatory 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 program 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. The following additional matters are hereby determined, declared, recited and stated:

(a) 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, 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 and notes provided for in this amendatory and supplemental bond ordinance by \$571,400 and the said obligations authorized herein will be within all debt limitations prescribed by law.

(b) The average period of usefulness of said improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by the Original Ordinance, as amended and supplemented hereby, is 21.91 years.

SECTION 6. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, and paid prior to the issuance of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, with the proceeds of such bonds or notes. This Section 6 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 of the Original Ordinance, as amended and supplemented hereby, to be incurred and paid prior to the issuance of bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, 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 by the Original Ordinance, as amended and supplemented hereby, used to reimburse the Township for costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, 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 by the Original Ordinance, as amended and supplemented hereby, to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, will be issued in an amount not to exceed \$25,682,450. The costs to be reimbursed with the proceeds of the bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, 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 of the Original Ordinance, as amended and supplemented hereby, 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. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 7. 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 the Original Ordinance, as amended and supplemented hereby.

SECTION 8. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 9. This bond ordinance shall take effect twenty (20) days after the first publication hereof 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.

Michele Arminio, 9 Nathaniel – asked if there was an increase in funds to this Ordinance and Administrator Hamilton responded "yes" \$600,000. Some is offset by HCD funding and ultimately there will be a 2.2 million dollar contribution from the Courts at Monroe towards this improvement. Courts at Monroe being a non-age restricted development. She then asked if there is an affordable housing contribution and Engineer Feist responded that he believes it is an inclusionary development.

As Councilwoman 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: **BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-3-2006-010 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON MARCH 27, 2006 (WHICH PROVIDES FOR VARIOUS 2006 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE APPROPRIATIONS, AUTHORIZATIONS AND DOWN PAYMENTS THEREIN.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-021

UPON MOTION made by Councilman Dalina and Councilwoman Koppel seconded by, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 6 & 7 ON THE TAX MAP OF MONROE TOWNSHIP IN EXCHANGE FOR CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 3 & 4 ON THE TAX MAP OF MONROE TOWNSHIP.**

ORDINANCE as follows: (O-8-2012-022)

WHEREAS, the Township Council of the Township of Monroe has decided that it is in the public interest that certain parcels of land, located on Garibaldi Avenue be dedicated as open space (the "Project"); and

WHEREAS, as part of the Project, the Township of Monroe must acquire parcels of land identified as Lots 6 and 7, Block 109.02 on the Tax Map of Monroe Township, which premises are owned by Lucille DiPasquale; and

WHEREAS, the Township of Monroe is the owner of the certain acquire parcels of land identified as Block 109.02, Lots 3 and 4 on the Tax Map of Monroe Township; and

WHEREAS, the Appraiser retained in connection with the Project has advised the Township of Monroe that the fair market value of the aforesaid Lots 6 and 7, Block 109.02 is the same as the market value of the aforesaid Lots 3 and 4, Block 109.02; and

WHEREAS, as part of the Project, the Township of Monroe has negotiated to acquire Block 109.02, Lots 6 and 7 in exchange for Lots 3 and 4, Block 109.02 with the property owner; and

WHEREAS, the Township of Monroe has found that the value of the land to be acquired is equal in value to the land to be exchanged; and

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 of Monroe shall acquire from Lucille DiPasquale the parcels of land identified as Lots 6 and 7, Block 109.02 on the Tax Map of Monroe Township; and in exchange Lucille DiPasquale shall acquire from the Township of Monroe the parcels of land identified as Lots 3 and 4, Block 109.02 on the Tax Map of Monroe Township in accordance with the "Local Lands and Buildings Law" (Chapter 12 of Title 40A of the New Jersey Statutes).

Section 2. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring Lots 6 and 7, Block 109.02 to the Township for municipal use, provided the Deed is in a form satisfactory to the Township Attorney.

Section 3. The owner of the property shall convey Lots 6 and 7, Block 109.02 to the Township free and clear of encumbrances and restrictions.

Section 4. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey Lots 6 and 7, Block 109.02 to Monroe Township.

Section 5. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey Lots 3 and 4, Block 109.02 to Lucille DiPasquale.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 7. 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 8. 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.

Michele Arminio, 9 Nathaniel St. - asked how this property is being conveyed to the Township. Council President Tamburro responded stating it is a swap of two lots to have contiguous land of equal value and conveyed as open space.

As Councilman Dalina 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 PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 6 & 7 ON THE TAX MAP OF MONROE TOWNSHIP IN EXCHANGE FOR CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 109.02, LOTS 3 & 4 ON THE TAX MAP OF MONROE TOWNSHIP.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-022

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 106.91, LOT 47.01 ON THE TAX MAP OF MONROE TOWNSHIP.**

ORDINANCE as follows: (O-8-2012-023)

WHEREAS, the Township Council of the Township of Monroe has decided that it is in the public interest that certain parcels of land, located along Pine View Court be dedicated as open space (the "Project"); and

WHEREAS, as part of the Project, the Township of Monroe must acquire parcels of land identified as Lot 47.01, Block 106.91 on the Tax Map of Monroe Township; and

WHEREAS, the Appraiser retained in connection with the Project has advised the Township of Monroe that the fair market value of the aforesaid Lot 47.01 of Block 106.91 is \$140,000.00; and

WHEREAS, GVF Construction, LLC is the owner of the certain premises known as Block 106.91, Lot 47.01 in the Township of Monroe; and

WHEREAS, as part of the Project, the Township of Monroe has negotiated the price of the land with the property owners; and

WHEREAS, as part of the Project, the property owner and the Township of Monroe have agreed upon consideration of One Hundred Fifty-Five Thousand Dollars (\$155,000.00); and

WHEREAS, the Township of Monroe, Chief Financial Officer, has verified that there are sufficient funds remaining from the issuance of bonds pursuant to the Open Space Acquisition Bond Ordinance O-2-2012-001, to pay for the aforesaid acquisition;

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 purchase price for Lot 47.01 of Block 106.91 on the Monroe Township Tax Map from GVF Construction, LLC, shall be One Hundred Fifty-Five Thousand Dollars (\$155,000.00), as determined through arms length negotiations and in accordance with the "Eminent Domain Act" (Chapter 3 of Title 20 of the New Jersey Statutes).

Section 2. Township Council shall provide sufficient funds for the acquisition of such property from the funds raised by the issuance of bonds pursuant to Bond Ordinance Number O-2-2012-001 which was introduced and passed on first reading by the Township Council on January 4, 2012, and approved on second reading and final adoption on February 6, 2012;

Section 3. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the property on the referenced Lot and Block for municipal use, provided the Deed is in a form satisfactory to the Township Attorney.

Section 4. The owner of the property shall convey the property free and clear of encumbrances and restrictions.

Section 5. The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents reasonably necessary to convey the property to Monroe Township.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 7. 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 8. 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 Councilwoman 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 PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 106.91, LOT 47.01 ON THE TAX MAP OF MONROE TOWNSHIP.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-023

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 122 THEREOF ENTITLED "VEHICLES AND TRAFFIC".** (Trucks Over Four Tons Excluded on First & Tenth Avenues between Spotswood-Englishtown & Monmouth Roads)

ORDINANCE as follows: (O-8-2012-024)

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

SECTION 2. Section 122-35, Schedule VI entitled "Trucks Over Four Tons Excluded" shall be amended to include the following:

In accordance with the provisions of § 122-11, trucks over four (4) tons gross weight are hereby excluded from the following described streets or parts of streets except for the pickup and delivery of materials on such streets or the transport of individuals to and from locations on such streets:

Name of Street	Location
First Avenue	Between Spotswood-Englishtown Road and Monmouth Road
Tenth Avenue	Between Spotswood-Englishtown Road and Monmouth Road

SECTION 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect twenty days after final passage, adoption and publication 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 Councilwoman 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 OF THE MONROE TOWNSHIP COUNCIL AMENDING THE CODE OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, SPECIFICALLY CHAPTER 122 THEREOF ENTITLED "VEHICLES AND TRAFFIC"**. (Trucks Over Four Tons Excluded on First & Tenth Avenues between Spotswood-Englishtown & Monmouth Roads)

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-024

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF AVENUE F.**

ORDINANCE as follows: (O-8-2012-025)

WHEREAS, application has been made Kenneth Ward, 3 Avenue E, Monroe Township, New Jersey 08831, for the passage of an Ordinance vacating, releasing and extinguishing the public rights in and to a certain portion of Avenue F, Block 137, Lot 5.1 as shown on Tax Map Sheet No. 89.03 and as more particularly described in the Metes and Bounds Descriptions prepared by Brunswick Surveying, Inc., a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township Engineer has reviewed said application and per his letter dated May 10, 2012, attached hereto as Exhibit "B", recommends the Township move forward with the vacation of a certain portion of Avenue F; and

WHEREAS, Michael Rogers, Executive Director of the Monroe Township Utilities Department ("M.T.U.D."), has reviewed said application for street vacation and per letter dated March 1, 2012, attached hereto as Exhibit "C", has no objections to granting this vacation; and

WHEREAS, the Township Council of the Township of Monroe is of the opinion that the public interest will best be served by vacating and releasing the public rights in said Avenue F;

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

1. The public rights and interests in the portion of Avenue F, as described in attached Exhibit "A", are hereby released, vacated and extinguished.

2. Pursuant to N.J.S.A. 40:67-1, the following described rights of public utilities and cable television companies are hereby expressly reserved and accepted from this vacation. All rights and privileges possessed at the time of the adoption of this Ordinance by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act", P.L. 1972, c. 186 (C.48:5A-1, et seq) to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated.

3. The Township's Certified Municipal Finance Officer is hereby authorized to draw a check in the sum of \$11.00 payable to the Middlesex County Clerk, and upon receipt of same, the Township Clerk shall thereupon file a certified copy of this Ordinance in the Office of the Middlesex County Clerk.

4. This Ordinance shall become effective twenty days after final passage 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 Dalina 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 RELEASING, VACATING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF AVENUE F.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of Ordinance Duly Filed.
O-8-2012-025

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was introduced on first reading for final passage: **AN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2012 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and Councilman Dalina seconded by, an Ordinance of which the following is the title was introduced on first reading for final passage: **A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2012 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$570,950, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2012 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and Councilman Dalina seconded by, an Ordinance of which the following is the title was introduced on first reading for final passage: **BOND ORDINANCE PROVIDING FOR VARIOUS 2012 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 \$1,545,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,470,900 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and Councilman Dalina seconded by, *an Ordinance of which the following is the title was introduced on first reading for final passage:* **ORDINANCE AUTHORIZING THE ACCEPTANCE OF LANDS DESIGNATED AS LOT 2.4 IN BLOCK 39 AND LOT 7.1 IN BLOCK 177 BEING GRANTED TO THE TOWNSHIP OF MONROE AS PART OF THE FLOOD MITIGATION PROGRAM AND TO BE DEDICATED AS OPEN SPACE.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and Councilman Dalina seconded by, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP") PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$75,000 TO FUND THE ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION OF A MASTER PLAN TO CONFORM TO THE REVISED LAND DEVELOPMENT CODE (CHAPTER 108) AND THE PREPARATION OF A REVISION AND CODIFICATION OF THE REVISED LAND DEVELOPMENT CODE OF THE TOWNSHIP OF MONROE.**

ROLL CALL: Councilman Stephen Dalina	Aye
Councilwoman Leslie Koppel	Aye
Council Vice-President Henry L. Miller	Aye
Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilwoman Koppel and Council Vice-President Miller seconded by, an Ordinance of which the following is the title was introduced on first reading for final passage: **BOND ORDINANCE PROVIDING FOR VARIOUS ADDITIONAL 2012 WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$1,470,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$1,470,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

UPON MOTION made by Councilman Dalina and Councilwoman Koppel seconded by, an Ordinance of which the following is the title was introduced on first reading for final passage: **ORDINANCE ACCEPTING THE RECOMMENDATIONS OF THE PLANNING BOARD AND FURTHER AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, "LAND DEVELOPMENT".**

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

Copy of an Ordinance Duly Filed.

Councilwoman Koppel asked for an explanation of the web-based fuel management system – Item# 20.t. on the Consent Agenda. Administrator Hamilton explained that it is a computerized system that will track fuel usage by township vehicles.

Council President Tamburro explained Resolution 20.m. on the Consent Agenda – Extension of the one time grace period for 2012 third quarter taxes.

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

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	Aye
	Council Vice-President Henry L. Miller	Aye
	Council President Gerald W. Tamburro	Aye

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

R-8-2012-224 **RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE FOR THE 2012 – 2013 LICENSE TERM.**

R-8-2012-225 **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE UPON THE POSTING OF A MAINTENANCE GUARANTEE WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S – 1063 SHRI RAM CHANDRA MISSION – BLOCK 13, LOT 5.03 (BA #5009-09).**

R-8-2012-226 **RESOLUTION AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR W&S – 866.1 WATER AND 866.2 SEWER BY K. HOVNANIAN FOR THE FOUR SEASONS @ MONROE PROJECT AT BLOCK 40, LOTS 2.02, 3, 4.01 & 5.01, BLOCK 41, LOT 14 AND BLOCK 25, LOT 1.25 (PB #1006-06).**

- R-8-2012-227 RESOLUTION ACCEPTING THE WITHDRAWAL OF BID FOR THE DEY FARM HISTORIC SITE, REJECTING THE REMAINING OVER-BUDGET BIDS AND AUTHORIZING THE BID TO BE RE-ADVERTISED WITH REVISIONS.
- R-8-2012-228 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR CLEARVIEW ESTATES.
- R-8-2012-229 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO NORTH AMERICAN INSURANCE MANAGEMENT CORPORATION FOR RISK MANAGEMENT INSURANCE CONSULTING SERVICES.
- R-8-2012-230 RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S REIMBURSEMENT AGREEMENT BY AND BETWEEN K. HOVNIANIAN AT MONROE NJ, LLC AND THE TOWNSHIP OF MONROE REGARDING THE CONSTRUCTION AND OPERATION OF SANITARY SEWER LINES ON PROPERTY IDENTIFIED AS BLOCK 25, LOTS 1 & 25, BLOCK 41, LOT 14 AND BLOCK 40, LOTS 2.02, 3, 4.01 & 5.01 IN THE TOWNSHIP OF MONROE.
- R-8-2012-231 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO B & H CONTRACTING, INC. FOR CONTRACT NO. 307B "PHASE II WELL NO. 21 WATER TREATMENT FACILITY EXPANSION" FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-8-2012-232 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-8-2012-233 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT FOR BLOCK 102, LOT 13 AND AUTHORIZING CANCELLATION OF THE TAX SALE CERTIFICATE.
- R-8-2012-234 RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR MONROE TOWNSHIP ROAD IMPROVEMENTS – MILLING.
- R-8-2012-235 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH FEIST ENGINEERING, INC. FOR PROFESSIONAL SERVICES RELATED TO THE 2012 ENCORE@MONROE PUNCH LIST BONDED IMPROVEMENTS.
- R-8-2012-236 RESOLUTION AUTHORIZING EXTENSION OF A ONE-TIME GRACE PERIOD FOR THE PAYMENT OF 2012 THIRD QUARTER TAXES.
- R-8-2012-237 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-8-2012-238 RESOLUTION AUTHORIZING THE CANCELLATION OF TAX SALE CERTIFICATE.
- R-8-2012-239 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT EXECUTED BY FEIST ENGINEERING, INC. FOR IMPROVEMENTS TO THE DEY FARM HISTORIC SITE.
- R-8-2012-240 RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICE CONTRACT FOR HOLT-MORGAN-RUSSELL ARCHITECTS FOR ARCHITECTURAL SERVICES RELATED TO IMPROVEMENTS TO THE DEY FARM HISTORIC SITE.
- R-8-2012-241 RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT REGARDING THE MATTER MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") v. KOHL CONSTRUCTION GROUP, KOHL PARTNERS, LLC AND WATERSIDE VILLAS HOLDINGS, LLC.

- R-8-2012-242** RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A DEVELOPER'S AGREEMENT BY AND BETWEEN K. HOVNANIAN AT MONROE NJ, L.L.C.; SOUTHFIELD GRAND, L.L.C.; STRATFORD DEVELOPERS, L.L.C.; APPLGARTH DEVELOPERS, L.L.C.; MONROE MANOR, INC. AND THE TOWNSHIP OF MONROE FOR IMPROVEMENTS TO THE MONROE TOWNSHIP UTILITY DEPARTMENT'S PUMP STATION 2.
- R-8-2012-243** RESOLUTION REJECTING BIDS RECEIVED AND AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE NEW BID SPECIFICATIONS AND RE-DVERTISE FOR THE MONROE TOWNSHIP WEB-BASED FUEL MANAGEMENT SYSTEM.
- R-8-2012-244** RESOLUTION AUTHORIZING YEAR 2012 CAPITAL BUDGET AMENDMENT.
- R-8-2012-245** RESOLUTION AUTHORIZING ADDITIONAL 90-DAYS OF EXTENDED SICK LEAVE.
- R-8-2012-246** RESOLUTION RENEWING AUTO WRECKING/JUNK YARD PERMITS FOR THE YEAR 2012. (AAA Management and Red & Black Auto Wreckers)

Copies of Resolutions Duly Filed.

Mayor Pucci – Commented on the setting up of the Affordable Housing Irrevocable Trust with the Affordable Housing Funds. The State has been advising that they want the funds from all the communities and some reports had to be submitted. He advised the Township Attorney to keep the Council Members updated. The Mayor believes that the Veterans Housing is one of the better projects. The County is getting involved with homelessness and the issue of Veterans who need housing. It is an ideal project. The proper paperwork has been done but there is a possibility of Court action.

Council President Tamburro informed the Mayor that the Affordable Housing Board had a Special Meeting last Thursday and reconfirmed the commitment that was made through the Irrevocable Trust for the monies that were designated for Veterans Housing, Group Homes and other commitments that were made.

Administrator Hamilton – No Report.

Engineer Feist – No Report.

Council Reports:

Councilwoman Koppel mentioned that Cultural Arts had approximately 500 people at the performance of "In the Woods" which was music from the 60's, 70's, & 80's. During the same night "In the Woods" was shown by the Mighty Oak Players and they also had a community event for the children's theater. There will be free music in the Park for the next three Thursdays.

Councilman Dalina – reported that the Monroe Twp. Recreational Summer Camp season is over. There were 1400 children registered, which is a record number. He also reported that he and Council President Tamburro attended the opening ceremony of the Monroe Baseball Tournament – the Mid-Atlantic Conference/The Cal Ripkin Tournament. The thirteen year olds have won the right to continue on in the World Series for 13 year olds in Washington State.

Council Vice-President Miller – commented on the Mayor & Business Administrators' presentation. It reflected a lot of work & time putting the budget together.

Council President Tamburro – re-emphasized the point made by the Mayor regarding taxes.

Public:

Mark Klein, 53 Turnberry Dr. – spoke on how 3years ago the government cut school aid. Now the State is looking to go after COAH. His belief is that the State has no right to go after this money as long as it is used properly. He next spoke on how the Mayor utilized funds to help the flood victims.

Administrator Hamilton explained there were two funds used for this purpose. Affordable Housing funds were used for those people who were income eligible and Open Space Trust Funds were used for the remainder.

Mr. Klein also expressed his belief in shared services.

Robert Roche, 18 Muirfield Blvd. – questioned item#18. - Utility Bond Ordinance, asking if all the surplus funds and the Township are taking on the debt of 1.4 million dollars.

Administrator Hamilton explained there are two thoughts on this matter. The first is paying cash and doing capital improvements and the other is, if the useful life is 20-25 or 30 years, you spread the cost out over the useful life of the project. A lot of the Township residents believe this is the way to finance capital projects with a longer useful life.

Denise Morgan, 9 Carlton Ave. – thanked the Mayor, Council & Councilman Leibowitz for helping her with her neighbor's swimming pool problem.

She stated she is here this evening representing her neighbor who has a problem with a neighbor not maintaining their swimming pool for the past 3 years, resulting in numerous mosquitos. Also, as a result of this problem, she is the victim of numerous mosquito bites creating large welts on her body. The township has contacted the owner several times before the problem was handled. She is concerned with the "West Nile Virus" that mosquitos carry.

Administrator Hamilton stated he will contact the County Health Department tomorrow. The Mosquito Commission should also be contacted.

Charles Petretti, 4 Wingate Ct. – asked why there is a service fee when paying the utility bill on-line. MTUD Director Mike Rogers stated that he was not aware of an additional fee related to this service and will look into it tomorrow.

Mr. Petretti next asked if there is any cash surplus in the Township at this time and Administrator Hamilton responded "yes", but it is not what it was. The year was closed at a 1.6 million dollar surplus. The Utility Department closed at a 12 or 14 million dollar surplus.

Steve Gorbe, 113 Gravel Hill – Spotswood Rd. - expressed his views on a portion of the final report from the "Fire Consolidation Committee". His belief is that the Report only touches the tip of the problems and offers very little in correcting the major problems in all three fire districts. He proceeded to ask a series of questions regarding the hiring of the new Fire Chief.

Administrator Hamilton explained that the recommendation of the Committee was not meant to go into in depth detail and as the Report indicated, there is a "Fire Management Committee" that will work to develop and answer the questions as to the hiring and recruitment process.

Michele Arminio, 9 Nathaniel St. – questioned Item #13. - Introduction Ordinance – Lease and Agreement with the Middlesex County Improvement Authority related to capital equipment and improvement revenue bonds. She asked the value and for what purchases. Administrator Hamilton responded the amount is \$32,000 for a 5 year lease of a Patrol car.

She next asked if there was any review that the Council takes of the leases from the Improvement Authority. Administrator Hamilton responded that it is more of an administrative review by himself and the Chief Financial Officer. He also mentioned that all of the Capital improvements for the Year 2012 are appearing as Introduction Ordinances. (Items #13, 14, 15, and 18.)

UPON MOTION made by Councilman Dalina and seconded upon Councilwoman Koppel, the meeting was Adjourned at 9:40 pm.

ROLL CALL:	Councilman Stephen Dalina	Aye
	Councilwoman Leslie Koppel	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 _____