

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
SPECIAL & AGENDA MEETING – AUGUST 27, 2012

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

The Special 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 twenty five (25) 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 August 20, 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** and in the **CRANBURY PRESS** on August 22, 2012.
3. Posted on August 20, 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 announced the Special Meeting is being held for the purpose of considering final passage of Ordinances on Second Reading, after Public Hearing, and any other business that may come before the Council.

UPON MOTION made by Council Vice-President Miller and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second 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.**

ORDINANCE as follows: (O-8-2012-026)

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

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the "2012 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2012 Program and to lease certain police and/or passenger vehicles from the Authority; and

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

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

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2012 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no Council or Public discussion of this Ordinance.

As Council Vice-President Miller 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: **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 Ordinance Duly Filed.
O-8-2012-026

UPON MOTION made by Councilwoman Koppel and seconded by Council Vice-President Miller, an Ordinance of which the following is the title was moved on second 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.**

Ordinance as follows: (O-8-2012-027)

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

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2012 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2012 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

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

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

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$675,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$675,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$675,000 pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq, as amended and supplemented (the "Local Bond Law").

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

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$675,000.

(e) The estimated cost of said general capital improvements or purposes is \$570,950, with a not to exceed amount of \$675,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2012 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a

copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

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

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

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

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

(b) The Bonds shall mature no later than fifteen (15) years from the date of issue.

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

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

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed fifteen (15) years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$675,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$135,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated

herein for the various capital improvements and items of equipment described in Exhibit attached hereto.

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

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

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

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

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

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

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

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

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

Michele Arminio, 9 Nathaniel St. – stated that since this is a Special Meeting with the Council voting on expenditures, the meeting should be televised.

Council President Tamburro explained that Regular Council Meetings are televised. He also advised that since these items are time sensitive, it is necessary to act on them at the Special Meeting this evening.

Administrator Hamilton added that in order for the County to prepare their closing bond sale for these various improvements, each municipality participating in the lease & loan program are required to adopt their ordinances.

Tom Nothstein, 15 Nathaniel St. – asked to reiterate what the \$570,950 for 2012 capital improvements include.

Administrator Hamilton responded that the major part would be for two ambulances costing \$440,000 which would be replacing two ambulances with over 250,000 miles.

Hye Grossman, 15 Muirhead Dr. – questioned if an introduction of an Ordinance includes a public hearing.

Council President Tamburro stated there is a public portion at every meeting and that these Ordinances have also been advertised in their entirety in the newspaper.

As Councilwoman Koppel 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: **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 Ordinance Duly Filed.
O-8-2012-027

UPON MOTION made by Councilman Dalina and seconded by Council Vice-President Miller, an Ordinance of which the following is the title was moved on second 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.**

Ordinance as follows: (O-8-2012-028)

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 \$1,470,000 from the Water and Sewer Utility of the Township. Pursuant to the

provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water and Sewer Utility is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$1,470,000 appropriation, negotiable bonds of the Water and Sewer Utility of the Township are hereby authorized to be issued in the principal amount of \$1,470,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Water and Sewer Utility of the Township in a principal amount not exceeding \$1,470,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Useful Life</u>
(i) Various water improvements to the Irrigation Pump Station and the PRV pits; and	\$535,000	\$535,000	15 years
(ii) Improvements to Well Number 22 to achieve compliance with environmental standards; and	\$510,000	\$510,000	20 years
(iii) The acquisition of 3/4 ton work trucks; and	\$40,000	\$40,000	5 years
(iv) The installation of a water line stream crossing at North Disbrow Hill Road; and	\$55,000	\$55,000	5 years
(v) Lighting improvements at the Helmetta and Jamesburg Pump Station; and	\$31,000	\$31,000	20 years
(vi) Roof replacement at the Jamesburg Pump Station; and	\$107,000	\$107,000	20 years
(vii) Grinder Replacement; and	\$85,000	\$85,000	20 years
(viii) The acquisition and installation of a Supervisory Control and Data Acquisition System.	\$107,000	\$107,000	7 years
TOTALS	<u>\$1,470,000</u>	<u>\$1,470,000</u>	

(b) 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 and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved..

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$1,470,000.

- (d) The estimated cost of said improvement or purpose is \$1,470,000.

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

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

SECTION 6. The capital budget of the Water and Sewer Utility of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 16.26 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Water and Sewer Utility of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,470,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$545,000 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 \$1,470,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

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

Hye Grossman, 15 Doral Rd. - questioned if the bonds of the water & sewer department and if they are authorized to be paid from the water & sewer revenues only. Mr. Hamilton responded "yes" that's correct. There is a dedicated budget for the water & utility and a general budget for the municipality.

As Councilman Dalina 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: **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 Ordinance Duly Filed.
O-8-2012-028

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: **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.**

Ordinance as follows: (O-8-2012-029)

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 \$1,545,000, said sum being inclusive of the sum of \$74,100 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 \$1,545,000 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 \$1,470,900 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 \$1,470,900 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 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 Radio System Improvements.	\$595,000	\$566,500	\$145,000	7 years
TOTALS	<u>\$1,545,000</u>	<u>\$1,470,900</u>	<u>\$74,100</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,470,900.

(c) The aggregate estimated cost of said improvements or purposes is \$1,545,000, 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, consulting, 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 13.24 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 \$1,470,900 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 \$334,000 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 \$1,470,900. 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 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: **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 Ordinance Duly Filed.
O-8-2012-029

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 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.**

Ordinance as follows: (O-8-2012-030)

WHEREAS, the Township of Monroe experienced unprecedented flooding from Hurricane Irene which rendered twelve (12) homes uninhabitable, as determined by the Township's Construction Code Official; and

WHEREAS, Mayor Richard Pucci and the Township Council believe that it is in the public interest to acquire those flood damaged properties, demolish the structures and dedicate the lands as open space for recreation and conservation purposes; and

WHEREAS, the homeowners have agreed to convey the properties for fair market value as established by appraisal; and

WHEREAS, the Township of Monroe has successfully closed on ten (10) of the twelve (12) properties; and

WHEREAS, the Monroe Township Council, at a meeting held on May 7, 2012 adopted Ordinance No. O-5-2012-008 accepting ten (10) of the twelve (12) properties that were rendered uninhabitable; and

WHEREAS, the Township has now successfully closed on the two (2) remaining properties; and

WHEREAS, the Township Engineer has conducted environmental inspections of the properties and hereby recommends acceptance of the deeds of dedication; and

WHEREAS, the Township's Chief Financial Officer has verified that there are sufficient funds remaining in its Open Space Trust Fund to acquire the properties;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, *nunc pro tunc* to December 5, 2011 as follows:

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to do all things necessary to carry out the Program and accept the dedication of the properties for open space purposes from:

- a) Jamie Scott Goff, of property designated as Lot 2.4 in Block 39 on the Tax Map of the Township of Monroe for consideration of \$142,785.96;
- b) Ashley Srolovitz and Bruce Bastek, of property designated as Lot 7.1 in Block 177 on the Tax Map of the Township of Monroe for consideration of \$290,000.00;

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

SO ORDAINED as aforesaid.

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

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 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 Ordinance Duly Filed.
O-8-2012-030

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 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.**

Ordinance as follows: (O-8-2012-031)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956 as amended by Chapter 144, P.L. 1965 and Chapter 38, P.L. 1969) the sum of \$75,000 is hereby appropriated for the purpose of engagement of special consultants for the preparation of a Master Plan or Plans to conform to the revised Land Development Code of the Township of Monroe, specifically Chapter 108, preparation of a revision and codification of the revised Land Development Code and the preparation and printing of the revised Zoning Map of the Township of Monroe; and

WHEREAS, it is necessary to appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) in order to pay the professionals and outside consultants, as may be needed for the aforementioned purposes;

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. Authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth of the amount authorized pursuant to N.J.S.A. 40A:4-55.

SECTION 2. A certified copy of this ordinance as finally adopted will be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs.

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

SECTION 4. This ordinance shall take effect twenty (20) days after final adoption and approval by the Mayor.

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

Gary Busman, 7 Monarch Road – Asked the original cost of the project. Council President Tamburro advised it is **\$75,000**, \$20,000 for Legal, \$20,000 for the Planner & \$35,000 for the Codification. He asked if there was a previous contract.

Administrator Hamilton explained that this is the final contract. There was a five year special emergency previously and this is the second one to finish the Chapter 108 adoption process.

Mr. Busman would be interested to know the total cost of this project and Administrator Hamilton advised he will have that information for him at the next meeting.

Michele Arminio, 9 Nathaniel St. – Asked to go over the breakdown again and asked if this would be a job under the Township Officials regular contract.

Council President Tamburro explained that the Master Plan is something that is done every 10 years and is outside the ordinary scope of work.

She next questioned why it is called an “Emergency Appropriation” and Administrator Hamilton explained that it is the title by which the State categorizes – It is a way of funding something over the next five budget years.

She stated that she feels this could have been done at a regular meeting since it was not “time sensitive”.

Hye Grossman, 15 Doral Drive – questioned the timing of the final adoption and have zoning amendments been considered. Council President Tamburro responded that the amendments have been done. He then asked about the planning document and Administrator Hamilton responded that Phase II is the preparation of the final documents that have already been adopted.

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 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 Ordinance Duly Filed.
O-8-2012-031

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 ACCEPTING THE RECOMMENDATIONS OF THE PLANNING BOARD AND FURTHER AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED, “LAND DEVELOPMENT”.**

Ordinance as follows: (O-8-2012-032)

WHEREAS, the Township Council and its professionals reviewed the Master Plan adopted July 5, 2011 by the Monroe Township Planning Board (the “Master Plan”), and the recommendations for a Land Use Ordinance Amendments by the Township Planner; and

WHEREAS, the Mayor and Council passed Ordinance No. O-7-2012-014, a comprehensive amendment to the Land Development Ordinance (the “Ordinance”), on first reading on June 6, 2012; and

WHEREAS, the Ordinance was referred to the Planning Board pursuant to N.J.S.A. 40:55D-62(a), pointing out and explaining certain inconsistencies between the proposed Ordinance and the Master Plan, for a report as to whether the proposed amendments are otherwise consistent with the Master Plan; and

WHEREAS, the Planning Board did not render its report prior to the second reading, despite the passage of thirty-five (35) days after referral; and

WHEREAS, the Township Council wanting nonetheless to receive input from the Planning Board, passed the Ordinance on second reading, subject to a favorable report from the Planning Board; and

WHEREAS, on July 26, 2012 the Planning Board adopted a Resolution agreeing that the Ordinance was substantially consistent with the Master Plan, approving the variations and inconsistencies delineated in the Township Counsel’s referral letter and recommending final adoption by the Mayor and Township Council; and

WHEREAS, the Planning Board Resolution also recommended a further amendment to Chapter 108 to add a definition for “Assisted Living Facility” and to distinguish that use from other care facilities conditionally permitted in certain zones within the Township; and

WHEREAS, the Township Council and its attorney, engineer and planner agree that the additional amendment is necessary for clarification purposes;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, that §108-2.3 of the Monroe Township Land Use Ordinance be amended to add the following definition:

ASSISTED LIVING FACILITY – A facility that is subject to regulation pursuant to N.J.A.C. 8:36, et seq.;

and that the following definitions be revised as follows:

EXTENDED CARE FACILITY – A long-term facility or a distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged, or a government medical institution, not including an Assisted Living Facility. See LONG-TERM CARE FACILITY.

INTERMEDIATE CARE FACILITY (ICF) – A facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services, to individuals who require such assistance but who do not require the degree of care and treatment that a hospital or skilled nursing facility provides, not including an Assisted Living Facility.

LONG-TERM CARE FACILITY – An institution or a part of an institution that is licensed or approved to provide health care under medical supervision for twenty-four (24) or more consecutive hours to two (2) or more patients who are not related to the facility's authority or its members by marriage, blood, or adoption, not including an Assisted Living Facility.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

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

SO ORDAINED as aforesaid.

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

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 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 Ordinance Duly Filed.
O-8-2012-032

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Koppel, the Special Meeting was Adjourned and the regularly scheduled Agenda Meeting was Called to Order at 8:22pm.

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

Council President Tamburro read the following entitled **ORDINANCES** for **INTRODUCTION** at the **WEDNESDAY, SEPTEMBER 5, 2012** Regular Council meeting:

- a. **ORDINANCE ACCEPTING THE CONVEYANCE OF A CONSERVATION EASEMENT AND DEED OF DEDICATION OF RIGHT OF WAY FROM T&S ASSOCIATES, INC.**
- b. **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOT 7 AND 7Q ON THE TAX MAP OF MONROE TOWNSHIP.**
- c. **ORDINANCE AUTHORIZING THE ACCEPTANCE OF LANDS GRANTED TO THE TOWNSHIP OF MONROE BY HOBART HILLS, INC. TO BE DEDICATED AS OPEN SPACE.** (Block 77, Lot 8.01)
- d. **ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PORTIONS OF PARCELS OF LAND IDENTIFIED AS BLOCK 77, LOTS 10.01, 10.02 AND 10.03 ON THE TAX MAP OF THE TOWNSHIP OF MONROE.**

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, SEPTEMBER 5, 2012** Regular Council meeting be reviewed and will address any questions:

- a. **RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING A MAINTENANCE GUARANTEE FOR REGENCY AT MONROE, PHASE 5 (PB-970-05).**

- b. **RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEES POSTED FOR SILVER HOLLOW ESTATES (BA-571-02 & BA-531-02).**
- c. **RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.**
- d. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 3 SUBMITTED BY ALLIED CONSTRUCTION GROUP, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") CONTRACT NO. 389 FOR WELLS 20 & 23 IRON REMOVAL SYSTEM.**
- e. **RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS VALVES AND EQUIPMENT.**
- f. **RESOLUTION AUTHORIZING AWARD OF BID FOR CONTRACT NO. 406 "WATER METERS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
(Bids to be opened 8/28/2012)
- g. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY PM CONSTRUCTION CORP. FOR MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") CONTRACT NO. 394, FOREST PARK TERRACE SANITARY SEWER REPLACEMENT.**
- h. **RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF JOHN RIGGS AS DIRECTOR OF PLANNING AND ENVIRONMENTAL PROTECTION OF THE TOWNSHIP OF MONROE.**
- i. **RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY CLYDE N. LATTIMER & SON CONSTRUCTION CO., INC. FOR MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") CONTRACT NO. 399, WELL 19 IMPROVEMENTS.**
- j. **RESOLUTION AUTHORIZING AN INTER-LOCAL AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND THE COUNTY OF MIDDLESEX FOR THE MIDDLESEX COUNTY'S COMMUNITY NOTIFICATION SYSTEM (MCCNS).**
- k. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH SHAIN, SCHAFFER AND RAFANELLO, P.C. FOR LEGAL SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.**
- l. **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH MARK A. REMSA, PP FOR PLANNING SERVICES RELATED TO THE PREPARATION OF THE MASTER PLAN AND CHAPTER 108 AMENDMENTS.**
- m. **RESOLUTION AUTHORIZING MODIFICATION TO CONTRACT NO. 307B FOR ADDITIONAL ENGINEERING FEES WITH O'BRIEN & GERE ENGINEERS, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.).**
- n. **RESOLUTION REFUNDING TAX OVERPAYMENTS.**
- o. **RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT TO MCR APPRAISAL FOR BLOCK 26; LOT 21.1 – 291 APPLGARTH ROAD.**
- p. **RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OKTOBERFEST CELEBRATION.**
- q. **RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS (THE "REFUNDING BONDS") OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"), AUTHORIZED BY A REFUNDING BOND ORDINANCE HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON APRIL 2, 2012, TO REFUND CERTAIN BONDS OF THE TOWNSHIP AND PROVIDING FOR THE FORM AND OTHER DETAILS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS".**

- r. **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TIMOTHY HOFFMAN, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE PROSPECT PLAINS ROAD IMPROVEMENTS.**
- s. **RESOLUTION AUTHORIZING THE PURCHASE OF THREE PICK-UP TRUCKS BY THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FROM THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM.**

Council President Tamburro asked the Business Administrator to elaborate on Item#15j. – Interlocal agreement between the county and the township for a community notification system.

Mr. Hamilton explained that it is a new system that the county is promoting and encouraging municipalities to participate in with a minimal cost. It allows the Township to participate in emergency notifications as well as any other public notifications by telephone, cell phone, e-mail etc. It can also select geographical locations of the municipality. He gave examples of a road closure, water main break or snow emergencies. You do need to sign up.

Councilman Dalina questioned the time frame to participate. Mr. Hamilton explained.

Mayor - Mentioned it is now the one year anniversary of Hurricane Irene. He looked back on all 200 people who experienced the tragic situation. We are one of the few towns in New Jersey who utilized the open space program to purchase the uninhabitable homes. We should be proud of our community.

He gave an update on the “Affordable Housing Fund” that is going back and forth through litigation. The Township Attorney has advised that we have heard nothing from the State of New Jersey. Our funds for now are in a secure “Irrevocable Trust”. We have the land available for the “Veterans Housing”. We are going to move forward and hopefully we will get an agreement with the State of New Jersey to utilize those funds.

Business Administrator – reiterated what the Mayor had said about the one year anniversary of Hurricane Irene and all that happened in Monroe.

Engineer – gave updates on the following:

- Traffic light on Rt#522 & Mount Mills Rd. – Utility poles have been removed and milling paving work should be complete by the end of next week. Traffic Signal can be activated shortly thereafter.
- Rt# 522 & Spotswood-Englishtown Rd. – condemnations still proceeding.
- Straightening the curve on Mount Mills Rd. – project is moving along. Slight delay due to rain. It may be opened within the next week or two.

He also mentioned that Monroe Twp. & Feist Engineering are being nominated by Joe Rugierri, the Supervising Engineer for NJDEP Dam Safety and Flood Control for the New Jersey Association of Flood Plain Managers – Flood Plain Management Award for 2012 for the efforts related to the acquisition of twelve properties in Monroe Township that were severely damaged by Hurricane Irene.

Council Reports:

Councilman Dalina – Gave an update on Youth Recreation Events.

- Youth 13 All Star Baseball Team – went to the State of Washington for the Babe Ruth Tournament. They made it to semi-finals and lost to a team from Arkansas.
- Monroe Wolverines had their pep rally Friday Night at the opening season. Over 450 children participate in the football & cheerleading program.

Councilwoman Koppel – Cultural Arts Music in the park series has ended. Elton John Tribute Band will be performing at the High School soon. The adult education programs are on line.

She also mentioned that Costco Warehouse donated over 400 backpacks to Monroe Schools for families in need.

Council Vice President Miller – asked if there was a new date for the opening of the New Senior Center. Mr. Hamilton stated that a new date has not been set. They are finishing the site work and some interior work over the next two weeks.

Council President Tamburro – mentioned that in getting back to Hurricane Irene, the last two lots were finally acquired by the Township. All houses have been demolished.

Mark Klein, 53 Turnberry Dr. – Missed the last meeting regarding the fire districts but was able to get a report. What surprised him was that there is no consolidation which he feels was the aim and a supervisor will be hired. They still have 5 fire commissioners per district. He feels five are not needed, one from each district is sufficient. He feels that equalizing the taxes for a three districts should be done. Dist.#3 answers the majority of calls, therefore they should be able to charge Dist.#1 & Dist.#2 for the calls they make on their behalf.

Mr. Hamilton responded that he has been asked “Why was there no thought given to consolidating?” The short answer is that it was not just a financial analysis. It was also an operational analysis. The law only allows going from 3 districts to 1. The committee reviewed this and the volunteers in Dist#1 felt that they would not have a voice in the governing of the fire districts and what relates to them as volunteers. The concept of a Municipal Fire Department was also on the table. He then proceeded to explain the four year plan.

Charles Petretti, 4A Wingate – Item#15d – MTUD Change Order#3 from Allied Const. Group – Iron Removal Project – he asked why it is taking so long to correct the problem. Mr. Hamilton explained that the total contractual award for this project is \$4,925,000. This is a change order for \$137,000. And the total change orders on this project to date are \$181,000 or 3.6% of the original amount. This is well within the original contract. He asked Tim Stoessler if he could give an update on the progress. Mr. Stoessler did not know a completion date and gave an explanation of the hold up.

Item# 15m – MTUD Modification for additional engineering fees with O'Brien & Gere Engineers – Mr. Stoessler explained that an SCADA alarm system is now needed in the amount of \$29,673. for Well#21.

Next he questioned a development on the corner of Union Valley-Half Acre and Cranbury Station Rd. The property has been cleared. He feels there should be some kind of warning. Mr. Feist will look into the matter.

Alan Kahn, 11 Crenshaw Ct. – he also mentioned the dangerous intersection of Mount Mills Rd., Spotswood-Englishtown Rd. coming from RT#522 and looking left towards Spotswood. There is heavy vegetation blocking view. He was advised who he could notify.

Manny Silverman, 8c Ingram Drive - spoke regarding real estate taxes and the unfair ratio of aid received by Monroe - \$300. Per child vs. Old Bridge \$5,000. Council President Tamburro talked about the State formula that is a detriment to Monroe. Mr. Hamilton explained that this is an ongoing problem. The state made some adjustment to its' formula where in 2009 & 2010 we were receiving \$4.7 Million in annual state aid. In 2010 & 2011 the aid dropped to \$238,000.

George Gunkelman, 5 Kelly Court – Item#15q – Refunding Bonds – He asked for an explanation. Mr. Hamilton explained that we are seeking some bonds and refinancing them. This is done outside of the most recent bond sale. We anticipate a saving of approximately \$384,000 in the debt service payments over a period of 15 years.

He next asked the status of FEMA refunding the Township funds that were used for the acquisition. Mr. Feist responded that there are a variety of sources. He proceeded to describe the various sources. As far as the land acquisition, FEMA declined to fund any of the programs.

Councilwoman Koppel reminded Mr. Feist that Mr. Gunkelman about the Tennis Facility on Perrineville Rd. and the unattractive guard posts. Council President Tamburro stated that there is legal proceedings moving forward through the Council to the County Planning Board.

Betty McCormack, 35 Canterbury Drive – new resident who moved to Monroe because of the farmland, questioned what constitutes 50% “Open Space”. Mr. Riggs responded. (did not come to microphone)

She questioned the houses that were going to be built on Union Valley-Half Acre/Canbury Station Rd. She asked why that property could not be used as “open space”. Council President Tamburro explained that you cannot tell people what to do with their land. It is public land.

Next she questioned "Exhibit B" 5 year projects, a computer for \$29,000. Mr. Hamilton explained that it is a Loan Ordinance for various equipment throughout the Township.

Dorothy Mroczek, 21 Tanglewood Place – moved to Monroe in 2005 at the top of the housing market. She talked about the tax increase. She wondered about pay cuts. Council President Tamburro explained about the 11 million dollars in tax appeals that the Township had to pay out. Of the 11 million dollars, 20% was money we received. About 9 million dollars, which was received by the Board of Education, by the County and School Districts were paid by the town. The state would not allow us to finance the appeals over a 3 year period.

Mr. Hamilton because of those tax appeals we lost \$140 million dollars in ratables. At the same time we added 618 new homes in that same 2 year period. The new homes did not offset the increase.

In attending the last Board of Education Meeting, most of the teachers are getting raises. People are still getting raises in this tough economy. In the hospital where she works their salaries were frozen.

Mr. Hamilton referred to contract negotiations 1 1/2 years ago where it was a 4 year contract for 2% each year but at the same time the town received serious concessions on the employee health benefit side that saved over one million dollars in premiums.

Joe Homoki, 61 Hoffman Rd. – spoke on the creation of fire districts and the problems it has created for many townships. He was hoping that payments would be equal for all citizens of Monroe Township. He mentioned that the fire study was a 4 year plan and he will still be paying the highest rate of the three districts for 4 years.

Mr. Hamilton explained that one of the benchmarks was that Fire Districts 2 & 3 achieve a 10% operating expense reduction over that 4 year period.

Next with the 4 year plan, he asked how often the progress will be evaluated.

Council President Tamburro mentioned that a fire chief would be hired for all three districts. In addition, he will have the authority to oversee the budgets and he will be responsible for getting the 10% savings over the course of 4 years.

Mr. Homoki believes that you cannot wait 4 years to make an evaluation.

Mr. Hamilton explained that this was a recommendation by the committee and presented to the Mayor and Council but one of the key items is an Oversight Advisory Committee be appointed by the Mayor and Council to provide progress and updates in meeting the benchmarks throughout the 4 year period.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Koppel the meeting was Adjourned at 8:35pm.

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 of this meeting were adopted on _____