

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
REGULAR MEETING – NOVEMBER 4, 2015

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 Deputy Clerk, Patricia Reid, the following members of Council were present: Councilman Stephen Dalina, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Leslie Koppel and Council President Gerald W. Tamburro.

ALSO PRESENT: Mayor Richard Pucci, Business Administrator Wayne R. Hamilton, Township Attorney Joel L. Shain, Engineer Mark Rasimowicz and Deputy Clerk Christine Robbins.

There were approximately thirty (30) members of the Public present in the audience.

Council President Tamburro requested the Township Deputy Clerk to read the following **SUNSHINE LAW** into the record:

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

1. Posted on January 2, 2015 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 2, 2015;
3. Posted on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

PRESENTATION to Mayor Pucci by Andy Paluri, on behalf of the United Indian American Residents of Monroe Township.

Andy Paluri, who is a member of the Monroe Township Planning Board and Shade Tree Commission, thanked Mayor Pucci for his many accomplishments during his reign as Mayor, with some of those accomplishments being the Recreation Center, Community Center and Library to name just a few. Mr. Paluri stated he came here to Monroe for a better life and has found it here in Monroe Township. As customary in Indian culture, Mr. Paluri gave Mayor Pucci a shawl from India as a token of his appreciation.

PRESENTATION of the annual ADA Awards by Judy Kalman, Chairman of the ADA Committee.

Judy Kalman stated that once a year an Award is given to an individual or company that has gone above and beyond for the American with Disabilities Act. This year the Award recipient is Parker at Monroe. Margaret Perushian and Lisa Diamond accepted the Award on behalf of Parker at Monroe and thanked Monroe Township for this honored distinction and for welcoming them to the community.

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

PANCREATIC CANCER AWARENESS MONTH
November 2015
DECA MONTH
November 2015

UPON MOTION made by Councilwoman Schneider and seconded by Councilman Dalina, the CLAIMS per run date of **10/22/15** were approved for payment as presented.

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

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “DOGS, CATS AND OTHER ANIMALS”**

ORDINANCE as follows (O-11-2015-019)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 33 of the Code of the Township of Monroe is hereby amended and supplemented as follows:

SECTION 1.

§33-1. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

CAT – Any member of the domestic feline species, male, female or altered.

CERTIFIED ANIMAL CONTROL OFFICER - A person eighteen (18) years of age or older who has satisfactorily completed a course of study approved by the Commissioner of Health and Senior Services and the Police Training Commission as prescribed in N.J.S.A. 4:19-15.1 et seq. for a period of three (3) years.

DEPARTMENT - Shall mean the Department of Health and Senior Services.

DOG - Shall mean any dog or dog hybrid, bitch or spayed bitch.

DOMESTIC ANIMAL - Any cat, dog, or livestock other than poultry.

IMMEDIATE - The pet solid waste is removed at once, without delay.

KENNEL - Any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

LICENSE AGE - Shall mean any dog **or cat** which has attained the age of seven (7) months or which possesses a set of permanent teeth.

NEUTERED – Rendered permanently incapable of reproduction, as certified by a licensed veterinarian.

OWNER/KEEPER - Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

PERSON - Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PET - A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

PET SHOP - Any place of business which is not part of a kennel, wherein animals, including but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

PET SOLID WASTE - Waste matter expelled from the bowels of the pet; excrement, feces.

POTENTIALLY DANGEROUS DOG - Any dog or dog hybrid declared potentially dangerous by a municipal court pursuant to N.J.S.A. 4:19-23.

PROPER DISPOSAL - Placement of pet solid waste in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

RESTRAINT - Any dog secured by a leash or lead, or under the control of a responsible person and obedient to that person's commands within the real property limits of its owner.

RUNNING AT LARGE - Any animal off the premises of the owner, and not under physical restraint and control of the owner/keeper or a responsible person, either by a leash, lead, cord, cage or other suitable means of physical restraint.

SPAYED – Rendered permanently incapable of reproduction, as certified by a licensed veterinarian.

VICIOUS DOG - Any dog or dog hybrid that has been declared vicious by a municipal court pursuant to N.J.S.A. 4:19-22.

§ 33-2. Appointment of Animal Control Officer.

The Mayor shall have the power to appoint a Certified Animal Control Officer whose duty it shall be to enforce the provisions of this Chapter.

§ 33-3. License required.

A. License for dogs or cats of license age shall be required by:

(1) Any and every person who shall own, keep or harbor a dog or cat of license age shall, on or before January 31 of each year, procure from the Clerk of the Township of Monroe, a license and official metal registration tag for each dog or cat so owned, kept or harbored and shall place upon each such dog or cat, a collar or harness with the registration tag securely fastened thereto.

(2) Any dog or cat of license age acquired by any and every person during the course of any calendar year and kept within the township for more than ten (10) days after acquisition.

(3) Any dog or cat attaining license age during the course of the calendar year.

(4) Any dog or cat of license age licensed by another state, brought into the township by any and every person and kept within the township for more than ninety (90) days.

B. Only one (1) license and registration tag shall be required in any licensing year for a dog or cat owned in New Jersey, and a license and tag issued by other municipalities of this state shall be accepted by the township as evidence of compliance with this chapter.

§ 33-4. License application.

A. Each application for a dog or cat license shall be made to the Clerk of the Township of Monroe and shall contain the following information:

(1) A general description of the dog or cat sought to be licensed, including breed, sex, age, color, and whether the dog or cat is of the long- or short-haired variety, and shall state whether the dog has been surgically debarked or silenced.

(2) Name, street, post office address and telephone number of the owner of the dog or cat, or of the person who shall keep the dog or cat, if other than the owner.

(3) The Clerk of the Township or other local official shall forward to the State Department of Health and Senior Services each month, on forms furnished by the Department, an accurate account of registration numbers issued or otherwise disposed of.

B. Proof of rabies vaccination, extending through at least ten (10) months of the twelve (12) month licensing period, must accompany the application.

C. If the dog or cat has been spayed or neutered, and the animal has never been previously licensed by the township, proof of spaying and neutering must accompany the application.

D. The application shall be accompanied by the fees prescribed in Chapter 39 entitled "Fee" of the Code of the Township of Monroe.

E. Registration number and tag shall be issued in the order in which they are received. A uniform official metal registration tag designed by the State of New Jersey Department of Health shall be issued and shall be numbered serially and shall bear the year of issuance and the name of the Township of Monroe.

§ 33-5. Exemption from fee for certain dogs.

Dogs used as guides for blind persons and commonly known as "Seeing Eye Dogs", dogs used to assist handicapped persons and commonly known as "service dogs," or dogs used to assist deaf persons and commonly known as "hearing ear" dogs shall be licensed and registered in the same manner as other dogs, except that the owner or keeper of such dog shall not be required to pay any fees.

§ 33-6. Vaccination required.

No person shall own a dog or cat, including farm cats, within the Township of Monroe unless it has been vaccinated against rabies.

§ 33-7. Vaccination procedure.

Vaccinations shall be administered by a veterinarian licensed to practice in the State of New Jersey. The vaccine used shall be from a manufacturer licensed by the Bureau of Animal Industry of the United States Department of Agriculture. The dosage shall be as recommended by the manufacturer.

§ 33-8. Dogs and cats not required to be vaccinated.

A. The Director of Health and Welfare may exempt any dog or cat from the provisions of Sections 33-6 through 33-9 if there is presented a certificate from a licensed veterinarian stating that it would be undesirable to vaccinate a particular dog or cat for a specified period of time because of the age of the dog or cat, or an infirmity or other physical condition.

B. No vaccination shall be required for any dog or cat confined to a licensed kennel, animal shelter, pet shop, or veterinary hospital.

§ 33-9. Certificate of vaccination.

Evidence of rabies vaccination shall be in the form of a certificate issued by the veterinarian performing the vaccination. The certificate shall either be on a form approved by the Director of Health and Welfare or on a standard immunization certificate used by the veterinarian.

§ 33-10. Use of registration tags.

No person, except the Animal Control Officer or a Police Officer in the performance of his/her duties, shall remove a registration tag from the collar of any dog or cat without the consent of the owner, or attach a registration tag to a dog or cat for which it was not issued.

§ 33-11. Running at large prohibited.

No person owning or charged with the care of, ~~keeping or harboring~~ an animal shall permit it to run at large upon the public streets or in any public park, in any public building or in any other public place within the township, nor permit an animal to run at large upon private property without the permission of the owner.

§ 33-12. Leashing of dogs.

No person owning or charged with the care of any, ~~keeping or harboring any~~ dog shall permit it **to be upon any of** the public streets or in any other public place in the township unless the dog is securely fastened to an adequate leash not more than eight (8) feet long and is accompanied by a person capable of controlling it.

§ 33-13. Noise disturbance (barking dogs).

“Noise disturbance” may be defined as sounds made from any animal or bird, frequently or for continued duration that creates a disturbance across a residential real property line. “Noise disturbance from a barking dog” may be defined as that created by a dog barking continuously for ten (10) minutes or intermittently for thirty (30) minutes.

§ 33-14. Property damage.

No person owning or charged with the care of ~~having the care, custody or in control of~~ any animal shall permit it to soil, defile or to do any injury or damage to any lawn, shrubbery, flowers, grounds, trees or other property of persons other than the owner or person charged with the care of having the care, custody or control of such dog. The owner or custodian person charged with the care of said dog shall be responsible for the damages done by said dog.

§33-15. Nuisances prohibited; curbing of animal; responsibility.

A. No person, agency or institution owning, ~~harboring, keeping or in charge or charged with the care~~ of any dog shall cause, suffer or allow such animal to soil, defile, defecate or commit any nuisance upon any public or private property whatsoever, except with the express authority or permission of the owner of said property.

B. The restriction in this section shall not apply to the portion of the street lying between the curb lines or, in the absence of curb, the portion of street lying between the edge of the roadway shoulder and the right-of-way line, which may be used to curb such animals under the following conditions: All pet owners and keepers who so curbs such animal shall be required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

(1) The pet’s solid waste removed from the aforementioned designated area shall be properly disposed of by the person owning, harboring, keeping or in charge of the animal curbed in accordance with the provisions of this section.

C. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

D. No owner shall fail to exercise proper control of his dog to prevent it from becoming a public nuisance. Excessive, continuous or untimely barking, mCreating a noise disturbance, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon private or public property shall be deemed a nuisance.

E. The provisions of this Article shall be enforced by the Animal Control Officer and Public Health Official of the Township of Monroe.

§ 33.15.1. Failure to Provide Proper Care; Tethering.

A. No owner shall fail to provide any animal in his control with sufficient good and wholesome food and water, with proper shelter and protection from the weather, with reasonable, customary and usual veterinary care ~~when needed to prevent suffering and with humane care and treatment.~~ No person shall beat, cruelly ill-treat, torment, overload, overwork or other abuse any animal or cause or permit any animals to combat between themselves, nor shall any owner abandon such animal.

B. Tethering of dogs.

(1) Definition. “Tether” means to fasten an animal by any device (such as a rope or chain) so that it can range only within a set radius.

(1)(2) It is unlawful to chain or tether unaltered animals (dogs or cats that are unsprayed or unneutered) in any manner and / or at any time within the Township.

(2)(3) Altered animals (dogs or cats that have been spayed or neutered) may be tethered only under the following circumstances:

(a) Tethers must allow the animal access to shelter, food and water and can be used only in an area where it will not be tangled around objects.

- (b) If there are multiple dogs, each dog shall be tethered separately and in such a manner that the tethers shall not become entangled with each other.
- (c) Tethers must be at least fifteen (15') feet in length, have an operative swivel on both ends, weigh no more than 1/8 of the dog's weight and be attached to a properly fitting buckle type collar or body harness made of nylon or leather.
- (d) Tethers must be free of attached weights and if links are utilized, they must not be over one-quarter (1/4) inch thick.
- (e) The collar used for tethering may not be a choke chain collar, slip collar or prong collar.
- (f) The tether must restrain the dog within the bounds of the owner's or custodian's property.
- (g) The area in which the animal is tethered must be kept free of insect infestation, such as ant hills, wasp nests, fleas, ticks and maggot infestations.
- (h) The tether cannot inhibit the movement of the animal's limbs or cause injury, harm, entanglement or strangulation.
- (i) Dogs may be tethered for no more than seven (7) consecutive hours in any twenty-four hour period of time and never between sunset and sunrise.
- (j) No dog may be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of the tethering.
- (k) No dog that is sick or injured shall be tethered.
- (l) No dog may be tethered outdoors during ~~a~~National Weather Service issued ~~A~~Alerts or ~~s~~Storm ~~w~~Warnings.

C. Dog Shelters.

- (1) Dog Shelters shall be a suitable size to accommodate the dog in both standing and lying positions.
- (2) It shall be moisture-proof, windproof, ventilated and in cold temperatures shall promote the retention of body heat.
- (3) It shall have a sufficient quantity of clean bedding material consisting of hay, straw, cedar shavings, or equivalent to provide insulation and protection against cold and dampness.
- (4) Drinking water shall be available in a clean, liquid state. Snow or ice is not an acceptable water source.
- (5) The doghouse or similar structure and the surrounding area shall be free from excessive dirt, trash and waste.
- (6) For temperatures below 32 degrees Fahrenheit, the doghouse or structure shall have a wind break at the entrance.
- (7) For temperatures above 85 degrees Fahrenheit, all dogs must be afforded one or more separate areas of shade large enough to accommodate the entire body of each dog and protect them from the direct rays of the sun.
- (8) No animal shall remain outdoors during National Weather Service issued Alerts or Storm Warnings.

§ 33-15.2. Restrictions on leaving Dogs or Cats Outdoors.

- A. No dog or cat shall be confined in a parked or standing vehicle or enclosed trailer for a period of fifteen (15) or more minutes when the temperature during such period is either below 40° Fahrenheit or above 85° Fahrenheit.

§ 33-16. Seizure and Impoundment of animals.

The Animal Control Officer and Police Officers shall take into custody and impound any of the following animals:

- A. Any animals, other than dogs, running at large in violation of the provisions of this Chapter.

B. Any animals off the premises of the owner or of the person ~~keeping or harboring said animal charged with the care of the dog~~ animal, which the Animal Control Officer or a Police Officer has reason to believe is a stray ~~dog or cat~~ animal.

C. Any dog or cat off the premises of its owner or of the person ~~keeping or harboring said charged with the care of the~~ animal without a current registration tag on its collar.

D. Any female dog in-season off the premises of its owner or of the person keeping or ~~harboring said dog~~ charged with the care of the dog.

E. Any ~~dog, cat or other animal, other than a dog,~~ with a dangerous or vicious propensity or noticeably infected with rabies or bitten by a dog, cat or other animal suspected of having rabies.

F. Any ~~dog, cat or other animal, other than a dog,~~ off the premises of the owner reported to or observed by a certified animal control officer, to be ill, injured or creating a threat to public health, safety or welfare.

G. Any dog, cat or other animal as authorized by the provisions of N.J.S.A. 4:19-15.16.

§ 33-178. Notice of seizure; time to hold prior to adoption; destruction; relocation or sterilization; boarding costs; transfer of ownership; experimentation prohibited; penalty; reporting of rabid animals~~Notice of seizure.~~(1) If an animal taken into custody and impounded pursuant to Section 33-16 has a collar or harness with identification of the name and address of any person, or has a registration tag, or has a microchip with an identification number that can be traced to the owner or person charged with the care of the animal, or the owner or the person charged with the care of the animal is otherwise known, the certified animal control officer shall ascertain the name and address of the owner or the person charged with the care of the animal, and serve to the identified person as soon as practicable, a notice in writing that the animal has been seized and will be liable to be offered for adoption or euthanized if not claimed within seven days after the service of the notice.

(2) A notice required pursuant to this section may be served: (1) by

~~— If any animal impounded or seized, wears a registration tag or a collar or harness having inscribed on or attached to it, the name and address of any person or the owner of the animal, a notice shall immediately be served on the person whose address is given on the collar or on the person owning the animal, stating that the animal has been seized and will be liable to be offered for adoption or destroyed if not claimed within seven (7) days after the service of the notice. A notice under this section may be served either by delivering it to the person on whom it is to be served, or by leaving it at the person's usual last known place of abode, or at the address given on the collar, or by forwarding it by mail on a prepaid postcard, addressed to the person at his usual or last known place of abode, or to the address given on the collar.~~

~~A. — The Animal Control Officer may cause an animal to be destroyed in a manner causing as little pain as possible and consistent with the provisions set forth in R.S. 4:22-19 or offered for adoption seven (7) days after seizure, provided that:~~

~~(1) — Notice is given as set forth above and the animal remains unclaimed.~~

~~(2) — The owner or person keeping or harboring the animal has claimed the animal and paid all expenses incurred by reason of its detention, including maintenance costs.~~

~~B. — At the time of adoption, the right of ownership in the animal shall transfer to the new owner. No dog or other animal so caught and detained or procured, attained, sent or brought to a pound or shelter, shall be sold or otherwise made available for the purpose of experimentation.~~

[NEW] § 33-1820. Fee for seizing and/or impounding of animal.

Any person whose animal shall be seized by the Animal Control Officer or a Police Officer, shall pay an administration fee of **twenty-five dollars (\$25.)** to the Township Clerk for each time that an animal has been picked up and impounded, and the full maintenance charge to the holding facility for each full or partial day held, not exceeding **four dollars (\$4.)** per day or the limit set forth in N.J.S.A. 4:19-15.16.

[NEW] § 33-2419. Quarantining of certain dogs or cats authorized.

When any dog or cat attacks or bites a human being, any officer or agent authorized or empowered to perform any duty under this chapter, may order the owner of the dog or cat to confine it, either on the owner's premises or at any other reasonable location designated by the officer for a period of at least ten (10) days. The expenses of such confinement shall be borne by the owner of the confined animal.

[NEW] § 33-2220. Examination of quarantined dog or cat.

Any officer or agent authorized or empowered to perform any duty under this chapter shall have the right to examine any dog or cat confined under the provisions of Section 33-21 at any reasonable time, including daily examination, for a period of ten (10) days after the dog or cat has attacked or bitten any person, to ascertain whether the animal shows symptoms of rabies.

[NEW] § 33-2321. Release from quarantine.

Regardless of whether or not the period of time from which the owner was directed to confine the dog or cat has expired, no dog or cat confined under the provisions of Section 33-21 shall be released from quarantine until the Animal Control Officer issues a certificate of release. The certificate shall only be issued after either the person designated by the Animal Control Officer, or his representative, has examined the dog or cat or a licensed veterinarian has certified, in writing, that the animal appears to be healthy and free from rabies.

[NEW] § 33-2422. General quarantine.

Whenever the Animal Control Officer, or his/her representative, is notified by the State Department of Health, or Officer determines that a danger of an epidemic of rabies in the Township of Monroe exists, he/she shall order all persons owning or having custody of dogs or cats in the township to confine their dogs or cats to their premises. Notice that any such order has been issued may be either written or oral and may be served personally, by mail, by publication in a newspaper circulating in the township, by conspicuously posting it in a public place or by any other method calculated to actually reach the persons affected.

[NEW] § 33-2523. Access to premises.

Any Officer authorized or empowered to perform any duty under this Chapter may go upon any premises to seize for impounding, any animal or animals which he/she may lawfully seize and impound when he/she is in immediate pursuit of such animal or animals, except that he/she shall not go upon the premises of the owner of the animal if the owner is present and forbids it.

[NEW] § 33-2624. Interference with enforcement prohibited.

No person shall interfere with anyone authorized or empowered to perform any duty under this Chapter.

[NEW] § 33-2725. Kennels.

Any person, firm or corporation conducting, managing or operating any kennel and engaged in the business of boarding or housing animals within the limits of the Township of Monroe, shall pay for the privilege of maintaining, conducting or operating such kennel, the license fee being established by N.J.S.A. 4:19-15.9. Any person, firm or corporation holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another owner or different premises.

[NEW] § 33-27-426. List of licensed kennels, pet shops, shelters and pounds.

The Clerk or other official designated to license dogs in the municipality shall forward to the State Department of Health a list of all kennels, pet shops, shelters and pounds licensed within thirty days after the licenses have been issued. The list shall include the name and address of the licensee and the kind of license issued.

[NEW] § 33-2827. Investigation of complaints of vicious or potentially dangerous dogs or cats; report of findings.

The Animal Control Officer shall act in accordance with N.J.S.A. 4:19-17 et seq., when the Animal Control Officer has reasonable cause to believe that a dog may be declared vicious or potentially dangerous as prescribed by said statute.

[NEW] § 33-3428. Finding to declare dog vicious or potentially dangerous; grounds

Vicious and potentially dangerous dogs are regulated pursuant to N.J.S.A. 4:19-17 et seq.

[NEW] § 33-4129. Fee for potentially dangerous and vicious dog license

In addition to any other license fee required the municipality shall charge an annual fee of \$300 for a potentially dangerous ~~and/or vicious~~ dog license and for each annual renewal thereof.

§ 33-42. Monthly inspection to verify compliance

~~The animal control officer shall inspect the enclosure and the owner's property at least monthly to determine continuing compliance with § 33-34 of this Chapter.~~

[NEW] § 33-4330. Registration, attack or guard dog

Any and all persons owning or controlling an attack or guard dog on premises within the municipality, shall file with the Township Clerk, a certificate of registration which shall set forth the name(s) of the owner(s) and person(s) in control of such premises and the street address thereof. Said registration shall occur within seventy-two (72) hours from the time said dog is brought to the premises. Registration of each guard or attack dog shall be accompanied by a fee of twenty-five (\$25.) for each dog so registered.

A. The Animal Control Officer or his designee shall notify the Police Department, the Board of Fire Commissioners, each Fire Department, and each First Aid Squad servicing the township or any part thereof of the fact that an animal has been registered under the provisions of this section.

B. Any and all persons owning or controlling an attack or guard dog shall also secure from the Township of Monroe, a tag indicating that the animal is registered as an attack or guard dog. Said tag shall not be issued unless the person owning or controlling said attack or guard dog shall furnish proof that the animal has been inoculated with a rabies vaccine and has been registered with the Township Clerk.

C. Failure to register the attack or guard dog and to secure the tag and have the tag securely fastened to the animal shall be a violation of this chapter.

[NEW] § 33-4431. Guard or security services procedures

It shall be unlawful for any guard or security service to have upon any premises within the township any guard or attack dog unless:

A. The guard or attack dog has been registered with the Township Clerk and has secured a registration tag as provided for by this chapter.

B. The guard or security service has maintained a telephone number to which a call may be placed to a responsible person of said service, twenty-four (24) hours per day.

[NEW] § 33-4532. Posting of signs

A. The owner, or other persons in control if not the owner, of all premises upon which attack or guard dogs are maintained, shall post signs stating, "Warning — Attack or Guard Dog(s) on Premises".

B. If attack or guard dogs are owned or maintained on any premises by any guard or security service, in addition to the signs required by subsection A. above, the following information shall be posted: name of said service, address of said service, telephone number at which a responsible party of said service can be reached, name and address of owner or person in control of said premises. Nothing herein shall be construed so as to prevent the sign required by this subsection to be a single sign, provided all of the information required by subsections A. and B. are contained therein.

C. All signs required by this section shall be posted on, over, or next to all exterior doors, and at least one such sign shall be posted at each driveway or entrance to said premises.

D. All signs required by this section shall contain lettering clearly visible from the lesser distance of the curb line or fifty (50) feet.

[NEW] § 33-4633. Annual canvass of dogs; report

The Chief of Police of the Township of Monroe and/or Animal Control Officer shall each year cause a canvass to be made of all dogs owned, kept or harbored within the limits of the township on or before September 1 of the year in which the canvass is taken, and shall cause a report of the result thereof to be filed with the Clerk of the township, to the local board of health, and the State Department of Health.

[NEW] § 33-4734. Exemptions for dogs used for law enforcement purposes

The provisions of this chapter shall not apply to dogs used for law enforcement activities.

[NEW] § 33-4835. Use of license fee funds

License fees and other monies collected or received under the provisions of this chapter shall be forwarded to the Municipal Finance Officer of the Township of Monroe and shall be placed in a special account separate from any of the other accounts of the Township of Monroe and shall be used for the following purposes only: collecting, keeping and disposing of animals liable to seizure, local prevention and control of rabies, providing anti-rabies treatment under the director of the Board of Health for any person known or suspected to have been exposed to rabies, or administering the provisions of this chapter. Any unexpended balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of the third fiscal year following and at the end of each fiscal year thereafter, there shall be transferred from said special account to the general funds of the township any amount then in such account which is in excess of the total amount paid into the special account during the last two (2) fiscal years next preceding.

[NEW] § 33-4936. Penalty for violation

Unless specifically stated within a subsection of this Chapter, any violation of any of the provisions of this chapter shall, upon conviction, be punishable by a fine not **less than one-hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00)** or by imprisonment for a term not to exceed ten (10) days or by both fine and imprisonment, and each day that the violation continues shall be deemed to constitute a separate offense, provided that the maximum penalty for violation of any of the provisions of this Article shall not exceed one thousand dollars (\$1,000.), imprisonment for a period of ninety (90) days, or both.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

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

SECTION 4. This Ordinance shall take effect immediately upon 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 discussion of this Ordinance.

Virginia McGinnis, 326A Nantucket Lane – thanked the Council for this Ordinance and for being animal friendly.

As Councilman Leibowitz and Councilman Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title, was passed on Second Reading and Final Adoption **AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “DOGS, CATS AND OTHER ANIMALS”**

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

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

ORDINANCE as follows (O-11-2015-020)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, State of New Jersey that Chapter 39 of the Code of the Township of Monroe is hereby amended as follows: -(new text in **blue**, deleted text in **red and struck**)

SECTION 1.

§ 39-1. Title.

§ 39-2. Purpose.

§ 39-3. Fees enumerated.

§ 39-4. Board of Education exemption.

§ 39-1. Title

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

§ 39-2. Purpose

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

§ 39-3. Fees enumerated.

The following fees shall be charged by the township for services rendered or licenses or permits issued. All license fees shall be annual unless otherwise noted.

C. CONSTRUCTION FEES:

TOWNSHIP OF MONROE

**I. ADMINISTRATIVE AND CERTIFICATE FEE SCHEDULE (Section 39-3)
SCHEDULE I**

Item	Cost
A. Certificate of Occupancy (Schedule 1)	\$ 75.
Refer to: (Schedule 2)	\$100. \$250.
Building Subcode Fee Schedule II (Schedule 3)	\$250.
(Multiple)	\$100. per unit
(Asbestos Hazard Abatement)	\$ 14.
(Lead Hazard Abatement)	\$100.
B. Certificate of Continued Occupancy (R-5 are optional)	See above schedule
C. Certificate of Continued Occupancy Pursuant to a change of Use.	\$200.
D. Certificate of Approval	No Charge
E. Certificate of Compliance (includes electrical C. of C. For commercial pools, spas, or hot tubs	No Charge
F. Variations: (Residential, R-5 single item)	\$100.
(Residential, R-3, R-4, multiple within one Unit or prototype to development)	\$250.
(All other uses)	\$250.

- G. Plan review portion of total permit fee 10%
(Plan review fee to be paid at the time of granting the permit.
Plan review fees are not refundable.)
- H. Minimum fee per Subcode applied for \$ 45.
- I. State of New Jersey Training Fees per N.J.A.C.5:23-4.19(b)
- J. Annual Permit State Fee Schedule
(Consistent with requirements as set forth in N.J.A.C.
5:23-4.16(A)4.)
- K. There shall be an additional fee of \$45.00 per hour or any portion thereof for review
of any amendment or change to a plan that has already been released.
- L. Hourly charges and fees for development-wide inspection of homes after issuance
of a Certificate of Occupancy shall be in such amount as may be reasonable and
necessary in order to ascertain whether a violation exists or to verify that any work
performed has abated the violation.

The hourly charge shall be fifty-seven dollars (\$57.) per hour times the number of hours
spent by the Code Official in determining whether a violation exists or verifying that any work
performed has abated the violation.

M. Change of Contractor flat fee \$ 25.

II. BUILDING SUBCODE FEES – SCHEDULE II (Section 39-3)

Schedule #1 includes Use Groups: R-3, R-4, R-5 and U
Schedule #2 includes Use Groups: B, F-1, F-2, M, R-2, S-1 and S-2, A-4, A-5
Schedule #3 includes Use Groups: A-1, A-2, A-3, A-4, A-5, E, H, I-1, I-2, I-3 and R-1, R-2, B, M

Retaining Walls up to 4 feet \$40.00
up to 8 feet \$80.00

Raised Patio Flat Fee \$40.00

<u>Type of Work</u>	<u>Based On</u>	<u>Schedule #1</u>	<u>Schedule #2</u>	<u>Schedule #3</u>
New Buildings or Additions	cubic volume	\$0.035 0.036	\$0.035 0.035 0.036	\$0.015 per 1,000,000 cubic feet

NO FURTHER CHANGES WITHIN SCHEDULE II

III. ADMINISTRATIVE AND CERTIFICATE FEE SCHEDULE – SCHEDULE III

Item	Based On	Cost
A. DEVICES	First 10 items	\$35.
Includes total of:	Each additional	\$45.
Lighting Fixtures	25 or portion of	
Receptacles	25 items.	
Switches		
Detectors		
Light Poles		
Motors – Fractional HP		
Emergency Exit Lights		
Communication Points		
Alarm Devices/Fire Alarm		
Control Panel(s)		
B. POOLS		
In Ground Pool Permit with underwater :		
Underwater Light(s)	flat fee	\$125.
Spa/Hot Tub	flat fee	\$ 60.
Annual Inspection of	flat fee	\$100.
Commercial Pools, Spas or Hot Tubs [per N.J.A.C. 5:23-4.18(1)]		
Above Ground Pool	flat fee	\$ 75.

C. MOTORS AND APPARATUS RATED IN/BY HORSEPOWER

Includes, but not limited to:	=/> than 1HP, up to 5HP	\$ 25.
Garbage Disposal	=/> than 5HP, up to 50HP	\$ 45.
Space Heater/Air Handler	=/> than 50HP, up to 100HP	\$ 85
Motors, All Other, over 1 HP	=/> than 100HP	\$175.

D. TRANSFORMERS AND APP. RATED IN/BY K.W.

Includes, but not limited to:	=/> 1 kW, up to 5 kW	\$ 25.
Electric Range/Receptacle	=/> 5 kW, up to 50 kW	\$ 45.
Oven/Surface Unit	=/> 50 kW, up to 100 kW	\$ 85.
Electric Water Heater	=/> up to than 100 kW	\$175.
Electric Dryer/Receptacle		
Dishwasher		
Central A/C Unit		
Space Heater/Air Handler		
Baseboard Heat		
Transformers/Generators		
Electric Sign/Outline Lighting		

E. SERVICE PANELS, PANELS & M.C.C.s RATED IN AMPERES

Includes, but not limited to:	up to 199 Amperes	\$ 60.
Service	200 to 399 Amperes	\$ 85.
Sub-panels	Over 400 Amperes	\$350.
Motor Control Center		
	up to and including 200 Amperes	\$ 75.
	up to and including 400 Amperes	\$136.
	up to and including 800 Amperes	\$327.
	up to and including 1200 Amperes	\$498.
	for each additional 400 Amperes above 1200 Amperes	\$136.

Item	Based On	Cost
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F. SOLAR INSTALLATIONS

Inverter	1 kW, up to 4 kW	\$ 45
	5 kW, up to 24 kW	\$ 85
	25 kW, up to 50 kW	\$105
	51 kW, up to 75 kW	\$130
Subpanels and Disconnects	Up to 199 Amperes	\$ 60
	200 to 399 Amperes	\$ 85.
	Over 400 Amperes	\$350.

For each Solar Photovoltaic System the Fee shall be:

Shall include:		
All Inverters	for the first 10kW	\$125.
Panels	for each additional 10kW	\$ 50.
Microinverters		
Optimizers		
<u>DC Equipment</u>		

G. ALARM PANELS

Alarm Panel	flat fee	\$ 35.
Fire Alarm Panel		
Intercom Panel		
Energy Management Panel		
Card Access or Similar Device		

H. SIGNS

Each hard wired sign	flat fee	\$ 50.
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IV. ELEVATOR SUBCODE FEE SCHEDULE – SCHEDULE IV

In accordance with State Statute N.J.A.C. 5:23 -12

V. FIRE PROTECTION SUBCODE FEE SCHEDULE – SCHEDULE V

TANKS (Installation)

Residential, R-5	each	\$ 60.
All Others, up to 999 Gallons	each	\$ 150.
All Others, 1,000 Gallons and over	each	\$ 300.

B. ALARMS, SIGNAL & SUPERVISORY DEVICES

Includes but not limited to, total of:

<u>Smoke/Heat Detectors</u>	First 12 items	<u>\$ 35.50.</u>
Pull Stations		
Water Flow Switches	Each additional	\$ 30.
Horns, Strobes, Bells	10 or portion of	
Tamper Switches, Low/High-Ais	10 items	
<u>Switches</u>		

C. SUPPRESSION SYSTEM DEVICES

Includes, but not limited to:	each	\$ 75.
Fire Pump		
Dry Pipe/Alarm Valves		
<u>Pre-action Valve</u>		

Item	Based On	Cost
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D. SPRINKLER HEADS (Wet & Dry)

1-9	1-19	\$ 60.	75.
10-49	20-75	\$ 120.	200.
50-99	75-199	\$ 240.	375.
100-199	200-499	\$ 360.	700.
200-299	500-999	\$ 680.	1,200.
300 and over	1000 and over	\$ 1,500.	1,500.

E. STANDPIPES

each	\$ 250.
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F. PRE-ENGINEERED SYSTEMS

Wet Chemical	each		\$ 175.
Dry Chemical		each	
\$ 175			
CO2 Suppression	each		\$ 175
Foam Suppression	each		\$ 175
Halon Suppression	each		\$ 175
<u>Smoke Control Systems</u>	<u>each</u>		<u>\$ 350</u>
<u>Kitchen Hood Exhaust Systems</u>	<u>each</u>		<u>\$ 175</u>
Commercial Gas or Oil Fired Appliances, Other:	each		\$ 60
<u>Wood Burning Fireplaces</u>	<u>each</u>		<u>\$ 60</u>
Incinerators	each	\$ 500	
Crematories	each		\$ 500

SECTION 2.

All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

SECTION 3.

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

SECTION 4.

This Ordinance shall take effect twenty (20) days after passage, adoption and publication according to law.

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

There was no Council or Public discussion of this Ordinance.

As Councilman Leibowitz and Council Vice President Koppel regularly moved and seconded the adoption, an Ordinance of which the following is the title, was passed on Second Reading and Final Adoption **“ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED “FEES” (Construction Fees).**

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

Copy of Ordinance Duly Filed.
 O-11-2015-020

UPON MOTION made by Council Vice President Koppel and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was moved on second reading for final passage **“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE SOCCER COMPLEX AND TENNIS COURTS WITHIN THE TOWNSHIP, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$2,500,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE COUNTY OF MIDDLESEX, NEW JERSEY IN THE AMOUNT OF \$1,000,000) AND AUTHORIZING THE ISSUANCE OF \$1,427,700 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF”**

ORDINANCE as follows (O-11-2015-021)

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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$2,500,000, said sum being inclusive of a grant in the amount of \$1,000,000 (the "Grant") received or expected to be received from the County of Middlesex, State of New Jersey (the "County") and the sum of \$72,300 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"). Of the \$72,300 aggregate down payments, the down payment in the amount of \$58,000 is now available in the Open Space Trust Fund and the down payment in the amount of \$14,300 is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,500,000 appropriation not provided for by application hereunder of the Grant or said down payments, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$1,427,700 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 \$1,427,700 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>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Improvements to the recreational open space soccer complex within the Township, which soccer complex is subject to a shared service agreement with the County, including but not limited to, the acquisition and installation of lighting, an artificial turf surface, a concession/refreshment building, and restroom facilities; and	\$2,200,000 (including the \$1,000,000 Grant)	\$1,142,000	\$58,000	15 years
(ii) The replacement of the tennis courts within the Township located on the property of Monroe Township High School, which tennis courts are subject to a shared service agreement with The Board of Education of the Township of Monroe, including but not limited to, the demolition of the existing courts and the replacement with new courts, including striping and netting.	\$300,000	\$285,700	\$14,300	15 years
TOTALS	<u>\$2,500,000</u>	<u>\$1,427,700</u>	<u>\$72,300</u>	15.00 years

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,427,700.

(c) The aggregate estimated cost of said improvements or purposes is \$2,500,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the Grant and 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. Except for the Grant, 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. Except for the Grant, 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 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 15.00 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 \$1,427,700 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 \$400,000 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. 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 \$1,427,700. 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.

Councilman Leibowitz asked for confirmation as to the location of the tennis courts being across the way at the High School and the soccer fields being on Prospect Plains Road, which Council President Tamburro confirmed.

Tom Nothstein, 15 Nathaniel Street – Introduced himself as being a member of the Board of Education, however, tonight he would be speaking as a private citizen and his opinions in no way reflect the opinions of the Board. He questioned the ability to fund the improvements to the tennis courts through the Open Space Trust Fund inasmuch as he did not consider the tennis courts as being open space. Administrator Hamilton thoroughly explained the bonding process and further stated that the Open Space Tax, when it was authorized by the voters, specifically outlined several areas where the funds could be used and one of which was recreational improvements.

As Council Vice President Koppel and Councilwoman Schneider 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 IMPROVEMENTS TO THE SOCCER COMPLEX AND TENNIS COURTS WITHIN THE TOWNSHIP, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$2,500,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE COUNTY OF MIDDLESEX, NEW JERSEY IN THE AMOUNT OF \$1,000,000) AND AUTHORIZING THE ISSUANCE OF \$1,427,700 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF”**

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

Copy of Ordinance Duly Filed.
O-11-2015-021

UPON MOTION made by Council Vice President Koppel and seconded by Councilwoman Schneider, an Ordinance of which the following is the title was introduced on first reading for final passage: **“ORDINANCE ACCEPTING THE CONVYANCE OF DEED IN LIEU OF CONDEMNATION AND A UTILITIES EASEMENT FROM WHITING SHOPPING CENTER ASSOCIATES, LLP, FOR THE ROAD AND PROSPECT PLAINS ROAD a/k/a COUNTY ROUTE 614”**.

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

Copy of Ordinance Duly Filed.

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

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

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

R-11-2015-264 RESOLUTION AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1097, LUCILLE DIPASQUALE, AVENUE J – BLOCK 119, LOT 11-13 (PB#1112-12).

R-11-2015-265 RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEE POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”) FOR W&S 1132, ANNE WILCZEK – AVENUE “E”, BLOCK 138, LOT 8.

R-11-2015-266 RESOLUTION AUTHORIZING SUBMISSION OF A PROGRAM GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND TOWNSHIP OF MONROE FOR CALENDAR YEAR 2016 FUNDING OF THE MONROE TOWNSHIP CULTURAL ARTS COMMISSION PROGRAMS, PROJECTS AND GENERAL OPERATING SUPPORT.

R-11-2015-267 RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH AETNA INSURANCE FOR HEALTHCARE INSURANCE FOR CALENDAR YEAR 2016.

R-11-2015-268 RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR A STREET SWEEPER FOR DEPARTMENT OF PUBLIC WORKS.

- R-11-2015-269 RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) VEHICLES FOR THE MONROE TOWNSHIP DEPARTMENT OF CONSTRUCTION UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-11-2015-270 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF WELLS FARGO BANK, N.A. v. WILLIAM STERN, II, ET AL AS EXTRAORDINARY LITIGATION.
- R-11-2015-271 RESOLUTION AUTHORIZING THE SALE OF A GARRETT PD-6500i METAL DETECTOR WITH A MAGNA DOLLY TO THE TOWNSHIP OF EAST BRUNSWICK.
- R-11-2015-272 RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF LIQUOR LICENSE ISSUED TO NCGG, LLC.
- R-11-2015-273 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF TOWNSHIP OF MONROE v. SAFECO INSURANCE OF AMERICA AS EXTRAORDINARY LITIGATION.
- R-11-2015-274 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-11-2015-275 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-11-2015-276 RESOLUTION AUTHORIZING AWARD OF BID FOR INSTALLATION AND LEASE FOR A SMALL CELL TELECOMMUNICATIONS TOWER AT THE COMMUNITY CENTER.
- R-11-2015-277 RESOLUTION AMENDING RESOLUTION NO. R-10-2015-255 REGARDING THE PURCHASE OF TWO (2) VEHICLES FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-11-2015-278 RESOLUTION PROVIDING FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948).
(Body Armour Replacement Fund Program - \$5,046.48)
- R-11-2015-279 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND MONROE TOWNSHIP BOARD OF EDUCATION FOR THE RESTORATION OF TENNIS COURTS.
- R-11-2015-280 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR CHABAD HOUSE OF MONROE (BA-767-06).
- R-11-2015-281 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR MONROE MANOR – SECTION 4 (PB-1036-07).
- R-11-2015-282 RESOLUTION AUTHORIZING ASSIGNMENT OF TOWNSHIP TAX LIEN NO. 15-00077 (BLOCK 148, LOT 30) TO LUCILLE DIPASQUALE.
- R-11-2015-283 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR MONROE MANOR – SECTION 6 (PB-1038-07).
- R-11-2015-284 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES RELATED TO THE REPRESENTATION OF THE TOWNSHIP IN CONNECTION WITH A DECLARATORY JUDGEMENT ACTION REGARDING THE TOWNSHIP'S COAH COMPLIANCE.

- R-11-2015-285 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE CONTRACT TO PURCHASE UPGRADED RADIO EQUIPMENT FOR THE MONROE TOWNSHIP POLICE DEPARTMENT UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-11-2015-286 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AMENDMENT TO THE INTER-LOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND SOUTH BRUNSWICK FOR THE HOMEWOOD SUITES BY HILTON.
- R-11-2015-287 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE VARIOUS MATTERS AS EXTRAORDINARY LITIGATION
- R-11-2015-288 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 SUBMITTED BY DUMOR CONTRACTING, INC. IN CONNECTION WITH THE MONROE TOWNSHIP VETERAN'S PARK – PHASE 2
- R-11-2015-289 RESOLUTION AUTHORIZING BUDGET TRANSFERS.
- R-11-2015-290 RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INDEMNITY AND TRUST AGREEMENT SIGNIFYING CONTINUED MEMBERSHIP IN THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND

Copies of Resolutions Duly Filed.

REPORTS:

Mayor Pucci –

- Thanked Andy Paluri and the Indian Community for their presentation, as well as extended thanks to the Indian community overall for showing Monroe Township the kind of community they are within our big family of Monroe Township. He stated that Andy has been a fine and excellent example for the community and the community at large for serving on the Board.
- Congratulated Mayor Elect Tamburro, as well as Leslie Koppel and Steve Dalina on their re-election to Council. He knows great things will happen under this leadership and added that the community is in great hands.
 - He added that for twenty-eight years as Mayor here in Monroe Township it has been a wonderful experience and an experience of a lifetime and he has enjoyed every moment of it. He has experienced a lot of pleasures, as well as challenges and rewards over the years but most importantly it is the people of the community who have made the experience the most memorable.
- Council President Tamburro added that he did not plan to speak now but feels he has to, saying this was a challenge for him and he is grateful for coming through both the Primary and General Election. He commented that regardless of party labels we are all here for the same purpose; to come together for the community and to continue to make Monroe a great place to live. He extended thanks to the residents who voted for him and voted for the team and vowed to continue the dream that was put in place twenty-eight years ago and make this the best town in the State of New Jersey. He added that we are an award winning town with great programs for every age group and for every segment of our population and he looks forward to that continuing going forward under the new Administration to be sworn in on January 1st. He thanked the Mayor for everything he has done for the township and for each of us personally in helping us to achieve the goals we have reached right now.

Administrator Hamilton –

- Two comments regarding two (2) items under the Resolution Consent Agenda, the first being a Resolution to execute a contract with Aetna Insurance for our employee healthcare insurance, inclusive of hospitalization and medication. We were able to hold the line item at a minimal 5% increase after having no increase over the last three years, which is very important considering there are 280 employees and retirees receiving health benefits. Next, the Resolution regarding the authorization awarding the bid for installation and lease for a small cell telecommunications tower at the Community Center, explaining that this is a unique situation since technology in cable and cell

phones are changing. A bid was put out within the last two months for a small cell telecommunications opportunity for the cell companies to come in and put something on the roof of our Community Center which has weak cell phone reception. We have awarded a bid for installation with the company representing Verizon Wireless which will generate about \$50,000 in income to the municipality over the next five years.

Engineer Rasimowicz – No report

COUNCIL REPORTS:

Councilman Michael Leibowitz –

- Attended a lecture at the library and urged all in attendance and watching to check out the lectures in the future held there, as they are conducted by professors who not only lecture but interact with the audience and are very entertaining and informative.
- Attended the Halloween Parade at the Recreation Center, which was a wonderful gathering of hundreds of children ranging from in carriages to 4th or 5th grade.
- A reminder that the Township's Grandparent's Day Celebration is coming up soon and recommended all who are grandparents to participate and for those who are not, to check out the events at the senior center.

Councilman Stephen Dalina –

- Thanked the ADA Committee for all that they do.
- Mentioned that yesterday was indeed election day and thanked the residents of Monroe Township for coming out to vote, explaining that in seeing the percentage of voters coming out you always want it to be a higher number, adding that the County Clerk's office did a very good job in trying to elicit more mail-in ballots and participation. He also thanked the Township Clerk's Office, as well as the volunteers and poll workers for all of their hard work.
- The Mayor's Youth Advisory Committee is meeting next Friday, November 13th and will be firming up the Mission Statement.
- Thanked the citizens of Monroe Township for going out to vote, as well as Jerry and Leslie. Lastly, added that he is looking forward to continuing spreading the positive message which they have done in the past years.
 - Councilman Leibowitz added that he wanted to thank the Township Clerk's Office and the additional help they had last night because in addition to the election they now handle the Board of Education election. Along with himself and members of the Board of Education, they sat and watched as the votes were meticulously counted and communicated to the County.

Councilwoman Schneider –

- Attended the Halloween Parade held at the Recreation Center, commenting that it was a delight to see children from 3 months old to 4th grade in attendance. Also attended in the afternoon, a Halloween Parade at the Orchards, with more children in participation. The Indian Community has embraced the American way plus loves how family oriented they are.
- Attended the DECA Car Show and was asked to pick the winning car, which was a 1952 Oldsmobile Model 88; Explained that DECA is a marketing education program at the High School and students give up their time and weekends to raise funds and send out care packages to our servicemen and women overseas, having sent 62,000 packages thus far.
- Congratulated Mayor Elect Tamburro, Council Vice-President Koppel and Councilman Dalina on their win, stating she is looking forward to working with this team, as well as Mike Leibowitz due to their great working relationship together.

Council Vice-President Koppel –

- Thanked Mayor Pucci for giving the entire team the opportunity and also setting the tone for this election. Adding that the team remained positive with one really good reason for doing so, which is because Monroe is awesome and a great place to live. Thanked the Clerk's Office and poll workers for all of their hard work and recommended for everyone to take a day off from work and work a day as a poll worker and be a part of the process on Election Day.

- Reported that the Senior Center on November 26th at Noon will be having a Community Cares Thanksgiving. Dinner which will be catered at a low cost with some transportation services being provided as well.
- There are several Cultural Arts events coming up, one of which is the Princeton Symphony which will be performing this Saturday at 7pm. Also, Broadway Boys will be performing on December 5th at the Marasco Performing Arts Center at 7pm. It is reminded that the programs and events are free for children and students and all are urged to attend and get involved.
- Extended congratulations to Mayor Elect Tamburro, adding it is an exciting time for Monroe Township and she is looking forward to continuing to bring Monroe forward, as well as working with the rest of the team for many years to come.

Council President Tamburro –

- Expanded on the Princeton Symphony event, advising the cost is only \$25 with free parking and close proximity to home. It is urged that all attend and take advantage of this wonderful show being presented by our Cultural Arts program. He, along with Councilwoman Schneider, will be in attendance.
- There will be two happenings going on for Veteran's Day; one being the wreath laying at 8:30am at the Municipal Building and the other being the wreath laying at 9:15am at Veteran's Park. All of the young men and women who have fought in the various wars to make this country free and to give us a free vote in some way, shape or form have to be disappointed with the turnout we get for the elections, with only a 29% voter turnout at last night's election. It is imperative for our young Eagle Scouts, two of which are in attendance this evening, and the Girl Scouts, to continue this liberty when they are old enough to vote.

PUBLIC:

Hy Grossman, 15 Doral Drive – Congratulations to the newly elected Mayor, as well as the reappointed Council members and good luck in the future as you all move forward.

Mr. Grossman had questions regarding items on the consent agenda, the first being item 13.q. authorizing a reduction of performance guarantees, which reminded him of the litigation recently and asked what has happened with the settlement. Council President Tamburro responded that it has been resolved. Mr. Grossman asked if the town was going out to bid for any more Open Space next to Chabad and Council President Tamburro responded that we have acquired the two properties next door and as of now nothing additional has been planned.

Regarding COAH compliance and the looming November 4th deadline, Mr. Grossman asked where we stand and Council President Tamburro stated the Hearing has been pushed back and we are still in litigation and on November 19th the Judge will rule.

Virginia McGinnis, 326A Nantucket Lane – Ms. McGinnis mentioned how Councilwoman Koppel talked about volunteerism, which Ms. McGinnis is passionate about since being involved heavily with the Helmetta Regional Shelter. She explained that last January, Senator Greenstein had a round-table discussion which she was a part of and one of things to come out of it was Bill S2069, which brings animal cruelty investigations to the County and/or Municipal level. Her concern is with Monroe Township using a facility that does not advocate for animals and one of the things she wants to talk about within the next year is implementing a TNR program and educating the public on the TNR program. Ms. McGinnis also urged those who are lonely to adopt a cat or dog.

Tom Nothstein, 15 Nathaniel Street – Mr. Nothstein had a question regarding item 13.c. on the Agenda which is the submission of a Program Grant application and execution of a Grant Agreement, asking how much the Grant request is for, to which Business Administrator Hamilton answered \$5,000. He further questioned what happens with that Grant, as it affects going back to the Shared Service Agreement and asked if paying for use of the High School is coming out of this Grant. Administrator Hamilton answered "no", that it is just additional funds that the County is providing to each of the respective Cultural and Heritage Commissions and Cultural Arts Commissions throughout the County to help supplement the operating budget of the Cultural Arts Commissions.

Mr. Nothstein questioned if on tonight's Agenda there was any amendment to the Open Space Funding Ordinance to provide the necessary funding to restore the tennis courts. Council President Tamburro answered that it had been taken care of at previous meetings.

Regarding item 13.j., Mr. Nothstein asked how much had been paid to the law firm so far for the SAFECO litigation. Administrator Hamilton answered that this is a new authorization and its authorizing \$10,000 to litigate with the developer of Renaissance at Monroe for unfinished and unlisted items.

Mr. Nothstein asked for the amount of item 13.g. and Council President Tamburro answered that this comes out of the Affordable Housing Trust and Administrator Hamilton answered it is also for \$10,000.

Regarding the bid for the small cell telecommunications tower, Mr. Nothstein asked how much the bid was awarded for and how many bidders were there. Administrator Hamilton answered that Verizon Wireless was the sole bidder and there are a schedule of payments to be made to the municipality over a 5 year period with the 1st year being \$8400 and the last year being \$12,300, with it increasing as time goes on with an anticipated \$50,000 in revenue over a five year period.

Item 13.u. - Resolution authorizing the additional payments to Shain, Schaffer & Rafanello for extraordinary litigation, Mr. Nothstein asked how much the additional payments will be and Administrator Hamilton answered that it is actually for two authorizations, one of which being the Affordable Housing Board Attorney for \$20,000 and the other to Shain, Schaffer & Rafanello, P.C. for \$25,000, which includes the fee for the Special Court Master.

Mr. Nothstein asked what the additional payment to the law firm is for and Administrator Hamilton answered that it is for the last installment of tax appeals, workman's comp, defense work and \$50,000 for open space condemnation work.

Lastly, Mr. Nothstein congratulated the winners and asked what happens with their positions. Council President Tamburro answered that he will resign as the Council President and the Democratic Chair will present three names for the Council to vote on as the successor. That person will then have to run in the next election.

UPON MOTION made by Councilman Leibowitz and seconded by Councilman Dalina, the Regular Meeting was Adjourned at 8:00pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on December 28, 2015