

THE FOLLOWING IS A **PRELIMINARY AGENDA** AND THERE MAY BE CHANGES MADE TO THE AGENDA BEFORE OR AT THE MEETING, AS PROVIDED BY LAW.

REGULAR MEETING
OF THE MONROE TOWNSHIP COUNCIL
FOR JUNE 8, 2016

AGENDA

1. Call to Order. (7:00 p.m.)

2. Salute to the Flag.

3. **ROLL CALL:**

Councilman Blaise Dipierro
Councilman Michael Leibowitz
Councilwoman Elizabeth Schneider
Council Vice-President Stephen Dalina
Council President Leslie Koppel _____

4. Council President Koppel to request the following **SUNSHINE LAW** be read into the record:

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

1. Posted on January 5, 2016 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 **STAR LEDGER** on January 8, 2016;
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.

5. **MOTION** to approve the payment of **CLAIMS** per run date of **05/31/2016**.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

6. Second Reading Ordinance entitled:

O-5-2016-014 **ORDINANCE AMENDING THE 2015-2018 SUPERVISORY PERSONNEL SALARY AND WAGE ORDINANCE FIXING THE SALARIES AND WAGES FOR VARIOUS OFFICIALS AND EMPLOYEES.**

MOTION: _____

SECOND: _____

PUBLIC HEARING / DISCUSSION

ROLL CALL: Ayes _____ Nays _____

7. Second Reading Ordinance entitled:

O-5-2016-015 **BOND ORDINANCE PROVIDING FOR VARIOUS INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF PERGOLA AVENUE AT SPOTSWOOD-GRAVEL HILL ROAD IN AND BY THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

MOTION: _____

SECOND: _____

PUBLIC HEARING / DISCUSSION

ROLL CALL: Ayes _____ Nays _____

8. Second Reading Ordinance entitled:

O-5-2016-016 **BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE THE APPROPRIATION THEREIN BY \$3,640,000, TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$3,466,600 AND TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE NEW OPEN SPACE PROPERTY ACQUISITIONS.**

MOTION: _____

SECOND: _____

PUBLIC HEARING / DISCUSSION

ROLL CALL: Ayes _____ Nays _____

9. Introduction of an Ordinance entitled:

O-6-2016-017 **ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "FEES".** (Clinical Coordinator and MTUD fees and charges)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

10. Introduction of an Ordinance entitled:

O-6-2016-018 **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC".** (Speed Limit along Cranbury-Half Acre Rd)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

11. Introduction of an Ordinance entitled:

O-6-2016-019 **ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED, "LAND DEVELOPMENT".** (Mulching)

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

12. Introduction of an Ordinance entitled:

O-6-2016-020 **ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$175,000 TO FUND THE PREPARATION OF AN UPDATE TO THE TOWNSHIP'S MASTER PLAN.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

13. Introduction of an Ordinance entitled:

O-6-2016-021 **BOND ORDINANCE PROVIDING FOR VARIOUS 2016 WATER AND SEWER UTILITY IMPROVEMENTS BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$4,035,000 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF \$4,035,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

14. Introduction of an Ordinance entitled:

O-6-2016-022 **BOND ORDINANCE PROVIDING FOR VARIOUS 2016 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 \$4,239,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$300,000) AND AUTHORIZING THE ISSUANCE OF \$3,778,100 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

15. **NON-CONSENT AGENDA RESOLUTIONS** for CONSIDERATION:

R-6-2016-183 **RESOLUTION AUTHORIZING MODIFICATION TO A PROFESSIONAL SERVICES CONTACT AWARDED TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR APPRAISAL SERVICES RELATED TO BLOCK 75, LOT 11.**

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

16. **RESOLUTIONS** for CONSIDERATION under CONSENT AGENDA:

R-6-2016-184 **RESOLUTION REQUESTING A REALLOCATION OF UNEXPENDED FUNDS FROM THE HOUSING AND COMMUNITY DEVELOPMENT PROGRAM.**

R-6-2016-185 **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AFFORDABLE HOUSING UNIT 0341 LOCATED AT BLOCK 14, LOT 12.51.**

R-6-2016-186 **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AFFORDABLE HOUSING UNIT 4 LOCATED AT BLOCK 14.11 LOT 1, C005.**

R-6-2016-187 **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AFFORDABLE HOUSING UNIT 0349 LOCATED AT BLOCK 14, LOT 12.50.**

R-6-2016-188 **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AFFORDABLE HOUSING UNIT 0343 LOCATED AT BLOCK 14, LOT 12.51.**

R-6-2016-189 **RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING HOMEOWNERSHIP ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AFFORDABLE HOUSING UNIT 0345 LOCATED AT BLOCK 14, LOT 12.51.**

- R-6-2016-190 RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL PAST DUE TAXES FOR TAX YEARS 2014 AND 2015 ASSESSED ON BLOCK 52, LOTS 9, 10 AND 11.
- R-6-2016-191 RESOLUTION AUTHORIZING CANCELLATION OF TAX SALE CERTIFICATE.
- R-6-2016-192 RESOLUTION APPROVING THE SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF MONROE AND MARTIN PRATT.
- R-6-2016-193 RESOLUTION AUTHORIZING CENTER STATE ENGINEERING TO PREPARE PLANS, SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS CAPITAL PROJECTS.
- R-6-2016-194 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO SMC FENCING, INC. FOR THE INSTALLATION OF SAFETY FENCING AT JAMES MONROE PARK.
- R-6-2016-195 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-6-2016-196 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). (Clean Communities Program - \$105,146.60)
- R-6-2016-197 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). (Sustainable Jersey Small Grant - \$20,000)
- R-6-2016-198 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). (Click It or Ticket - \$5,000)
- R-6-2016-199 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO A. TAKTON CONCRETE CORP. FOR LITTLE BROOK LANE DRAINAGE REPAIRS.
- R-6-2016-200 RESOLUTION AUTHORIZING THE PURCHASE OF PORTABLE RADIOS FOR THE MONROE TOWNSHIP EMS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-6-2016-201 RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE POSTED FOR AVENUE J (PB-1112-12) BY LUCILLE DiPASQUALE.
- R-6-2016-202 RESOLUTION AUTHORIZING THE SALE OF VEHICLES AND SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE TO BE CONDUCTED BY GOVDEALS.COM UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-6-2016-203 RESOLUTION GRANTING AUTHORITY TO FILE LIEN FOR TOWNSHIP'S ABATEMENT OF UNSANITARY CONDITIONS AT 228 MATCHAPONIX ROAD.
- R-6-2016-204 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-6-2016-205 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEES POSTED FOR STONEBRIDGE, PHASE 1, SECTION 5 (PB-1010-06).

- R-6-2016-206 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ESTABLISHING MAINTENANCE GUARANTEES POSTED FOR STONEBRIDGE - PHASE 1, SECTION 7 (PB-1060-08).
- R-6-2016-207 RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 SUBMITTED BY LEWIS-GRAHAM, INC. IN CONNECTION WITH THE RESTORATION AND RECONSTRUCTION PROJECTS FOR THE DEY FARMSTEAD.
- R-6-2016-208 RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION FOR PARTICIPATION IN THE PRESCRIPTIVE LIGHTING INCENTIVE PROGRAM ADMINISTERED BY THE NEW JERSEY BOARD OF PUBLIC UTILITIES, OFFICE OF CLEAN ENERGY.
- R-6-2016-209 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND APPROVING EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SCHOOLHOUSE ROAD IMPROVEMENTS.
- R-6-2016-210 RESOLUTION APPROVING THE SETTLEMENT OF CLAIMS AGAINST THE TOWNSHIP BROUGHT BY RDC FORSGATE PARTNERS LLC. d/b/a FORSGATE COUNTRY CLUB.
- R-6-2016-211 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") AND ESTABLISHING MAINTENANCE GUARANTEES FOR W&S 771 AT RENAISSANCE @CRANBURY CROSSINGS, WATER, SEWER & OFF-SITE IRRIGATION AND W-771.2, RENAISSANCE @ CRANBURY CROSSINGS, PHASE 2 WATER - PB#880-03.
- R-6-2016-212 RESOLUTION AUTHORIZING MODIFICATION #2 TO A CONTRACT AWARDED TO SUBURBAN CONSULTING ENGINEERS, INC. FOR VARIOUS PIPELINE GENERAL ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-6-2016-213 RESOLUTION AUTHORIZING MODIFICATION #1 TO A CONTRACT AWARDED TO R3M ENGINEERING, INC. FOR GENERAL ENGINEERING SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-6-2016-214 RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO UTILITY SERVICE AFFILIATES, INC. FOR UTILITY MANAGEMENT AND SUPPORT SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-6-2016-215 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING AWARD OF BID TO MECO, INC. FOR SPOTSWOOD- GRAVEL HILL ROAD IMPROVEMENTS.
- R-6-2016-216 RESOLUTION AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 SUBMITTED BY PLEASANTVIEW LANDSCAPING AND LAWN MAINTENANCE IN CONNECTION WITH 2016 MONROE TOWNSHIP LANDSCAPING SERVICES.
- R-6-2016-217 RESOLUTION AUTHORIZING STIPULATION OF SETTLEMENT OF COSTCO WHOLESALE TAX APPEAL.

MOTION: _____

SECOND: _____

ROLL CALL: Ayes _____ Nays _____

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-5-2016- 014

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING THE 2015 – 2018 SUPERVISORY PERSONNEL
SALARY AND WAGE ORDINANCE
FIXING THE SALARIES AND WAGES FOR VARIOUS OFFICIALS AND EMPLOYEES
OF THE TOWNSHIP OF MONROE
AND PROVIDING FOR THE MANNER OF PAYMENT THEREOF
AND RATIFYING SALARIES AND PAYMENTS TO EMPLOYEES AND OFFICIALS
PREVIOUSLY PAID

BE IT ORDAINED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey that the 2015 – 2018 Supervisory Personnel Salary and Wage Ordinance shall be amended, effective January 1, 2016 as follows:

SECTION 1. The following annual salaries, wages and fees shall be paid, retroactive to January 1, 2016, as hereinafter specified:

<u>POSITION</u>	<u>2016 to 2018</u> <u>SALARY AND WAGE RANGES</u>		
Township Records Management Coordinator	\$40,000	to	\$ 70,000
Human Resources Manager	\$60,000	to	\$ 85,000
Affordable Housing Supervisory Bookkeeper P/T	\$ 2,000	to	\$ 5,000
Certifying Payroll Officer – P/T	\$ 6,085	to	\$ 8,935
EMS Special Projects Manager – P/T	\$ 5,000	to	\$ 7,000
Assistant Recycling Coordinator – P/T	\$ 2,000	to	\$ 5,250
Utility Department General Manager	\$84,000	to	\$114,500
Utility Department Engineering Project Manager	\$65,000	to	\$ 85,000
Assistant Zoning Officer – P/T	\$ 5,000	to	\$ 5,250
Occupational Health & Safety Manager – P/T	\$10,000	to	\$ 14,490

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

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

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

SO ORDAINED, as aforesaid.

LESLIE KOPPEL, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on May 2, 2016. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held at 7:00 p.m. on June 8, 2016 in the Monroe Township Municipal Complex, 1 Municipal Plaza, Monroe Township, New Jersey. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration and final passage by the Council.

SHARON DOERFLER, Township Clerk

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

GERALD W. TAMBURRO, Mayor

Date Signed: _____

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NUMBER O-5-2016-015

BOND ORDINANCE PROVIDING FOR VARIOUS INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF PERGOLA AVENUE AT SPOTSWOOD-GRAVEL HILL ROAD IN AND BY THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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 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 Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$125,000, said sum being inclusive of a down payment in the amount of \$6,000 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$125,000 appropriation not provided for by application

hereunder of said \$6,000 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$119,000 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 \$119,000 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 the purposes for the financing of which said obligations are to be issued are for various intersection improvements at the intersection of Pergola Avenue at Spotswood-Gravel Hill Road in the Township, including but not limited to, improvements to bring such intersection into compliance with the Americans with Disabilities Act, the installation of a traffic signal, and the acquisition of real property surrounding such intersection being designated as Block 75, Lot 11 on the Official Tax Map of the Township (the "Pergola Land"). Such improvements or purposes shall also include, but are not limited to, as required, removal and replacement of, as applicable, sidewalks, concrete curbing, curb ramps, driveway aprons, regrading, landscaping, excavation, pavement striping, installation of traffic calming devices, resetting manholes and inlets, drainage improvements, and various other curb, sidewalk and roadway maintenance.

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, 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.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$119,000.

(d) The estimated cost of said improvements or purposes is \$125,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor is the down payment in the amount of \$6,000 available for such improvements or purposes.

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 in Section 3 hereof, 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 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 the Local Bond Law. 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, as necessary, 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 Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 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 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 twenty (20) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$119,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, 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 \$15,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law 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 \$119,000. 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 is hereby authorized to acquire the Pergola Land and to negotiate any and all agreements and documents in connection with such acquisition. The Mayor, Township Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized and directed, as applicable, to negotiate, approve, execute, attest, deliver and perform any and all agreements and documents and to undertake any and all actions necessary for the Township to acquire said Pergola Land.

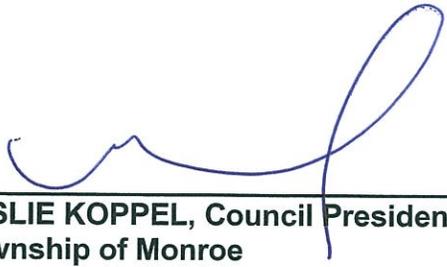
SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: May 2, 2016**



**SHARON DOERFLER, Clerk
Township of Monroe**



**LESLIE KOPPEL, Council President
Township of Monroe**

**ADOPTED ON SECOND READING
DATED: June 8, 2016**

**SHARON DOERFLER, Clerk
Township of Monroe**

**LESLIE KOPPEL, Council President
Township of Monroe**

APPROVAL BY THE MAYOR ON THIS _____ DAY OF JUNE, 2016

**GERALD W. TAMBURRO,
Mayor, Township of Monroe**

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NUMBER O-5-2016-016

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER O-8-2000-026 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ON AUGUST 28, 2000 (WHICH PROVIDES FOR VARIOUS 2000 CAPITAL IMPROVEMENTS), AS AMENDED AND SUPPLEMENTED, TO INCREASE THE APPROPRIATION THEREIN BY \$3,640,000, TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN BY \$3,466,600, AND TO AMEND THE DESCRIPTION SET FORTH THEREIN TO INCLUDE NEW OPEN SPACE PROPERTY ACQUISITIONS

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

SECTION 1. Bond ordinance number O-8-2000-026 finally adopted on August 28, 2000 by the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Township") entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2000 CAPITAL IMPROVEMENTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,428,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," as amended by bond ordinance number O-10-2001-035 finally on adopted by the Township Council on October 1, 2001, bond ordinance number O-12-2002-048 finally adopted by the Township Council on December 2, 2002, bond ordinance number O-8-2003-029 finally adopted by the Township Council on August 4, 2003, bond ordinance number O-12-2003-053 finally adopted by the Township Council on December 29, 2003, bond ordinance number O-12-2005-054 finally adopted by the Township Council on December 5, 2005, bond ordinance number O-6-2006-020 finally adopted by the Township Council on June 26, 2006, bond ordinance number O-9-2008-021 finally adopted by the Township Council on September 3, 2008, bond ordinance number O-8-2012-020 finally adopted by the Township Council on August 6, 2012, bond ordinance number O-4-2013-003 finally adopted by the Township Council on April 1, 2013, bond ordinance number O-8-2014-014 finally adopted by the Township Council on August 4, 2014

and bond ordinance number O-3-2016-012 finally adopted by the Township Council on April 4, 2016 (collectively the "Original Ordinance"), is hereby amended and supplemented to the extent and with effect as follows:

SECTION 1. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional aggregate sum of \$3,640,000, said sum being inclusive of \$173,400 as the amount of an additional aggregate down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), now available therefor 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.

The appropriation for the improvements or purposes contained in Section 3(a)(i) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,440,000 from \$11,650,000 and shall equal the amount of \$15,090,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, for the improvements or purposes contained in said Section 3(a)(i), including the amount of down payment increased by \$163,850 from \$555,031 to equal \$718,881. The appropriation for the improvements or purposes contained in Section 3(a)(ii) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$200,000 from \$1,200,000 and shall equal the amount of \$1,400,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, for the improvements or purposes contained in said Section 3(a)(ii), including the amount of down payment increased by \$9,550 from \$57,185 to equal \$66,735.

Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,640,000 from \$13,200,000 and shall equal the amount of \$16,840,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by \$173,400 from \$628,900 to equal \$802,300. The total appropriation including the total amount of down payment is \$16,840,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes

of the Township in the aggregate amount of \$3,466,600 are hereby authorized to be issued by the Township for such improvements or purposes in Section 3(a) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,466,600 from \$12,571,100 and shall equal the amount of \$16,037,700.

The total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a)(i) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,276,150 from \$11,094,969 and shall equal the amount of \$14,371,119. The total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a)(ii) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$190,450 from \$1,142,815 and shall equal the amount of \$1,333,265.

Therefore, the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,466,600 from \$12,571,100 and shall equal the amount of \$16,037,700.

SECTION 4. (a) Sections 3(a)(i) and 3(a)(ii) of the Original Ordinance are hereby amended in their entirety to read as follows:

<u>"Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Acquisition of various properties within the Township for open space purposes, including, but not limited to, as applicable, Block 1, Lot 7.02; Block 9, Lot 9.18; Block 18, Lots 17 and 18; Block 22, Lots 1 and 3; Block 25, Lot 19.4; Block 27.02, Lots 16 and 18.06; Block 27.2, Lots 17.1, 17.2, 18.4 and 18.5; Block 29, Lot 4; Block 31, Lots 11 and 14; Block 32, Lots 5, 10, 11.1, 19.2 and 20; Block 49, Lots 10 and 14; Block 60, Lots 17.03, 17.04, 18.07 and 21.01; Block 62, Lot 12.02; Block 68, Lot 44.04; Block 75, Lot 11; Block 76, Lots 21.02 and 23.06; Block 76.01, Lots 25.01 and 25.20; Block 77, Lots 2.3, 7, 10.01, 10.02, 10.03, 11.01 and 11.02; Block 106.20, Lots 1 through 21; Block 106.89, Lot 31; Block 106.91, Lot 47.01 on Pine View Court and as sometimes described as Lot 4.01; and Block 106.95, Lot 20, in accordance with the Township's Open Space Plan, as filed with the Middlesex County Open Space Committee, a lawful public purpose, including the acquisition of development rights therefor and open space mapping, all work and materials necessary therefor and incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved, and	\$15,090,000	\$14,371,119	\$718,881	40 years
(ii) Acquisition of development rights to various properties within the Township for farmland preservation purposes, including, but not limited to, as applicable, Block 2, Lot 4.01; Block 11, Lot 5.14; Block 19, Lot 4; Block 20, Lots 12.03, 14.03 and 22; Block 22, Lots 2.03 and 2.04; Block 30, Lot 8.7; Block 31, Lot 13.02; Block 36, Lots 14 and 15; Block 54, Lot 7.1; Block 60, Lots 28.02 and 29.232; Block 81, Lots 4 and 5.01; and Block 83, Lot 6.09, including all work and materials necessary therefor and incidental thereto and all in accordance with the plans and specifications	\$1,400,000	\$1,333,265	\$66,735	40 years"

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
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therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved; and

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$16,840,000.

(c) The aggregate estimated cost of said improvements or purposes is \$16,037,700, 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 5. 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 in the Original Ordinance, as amended and supplemented hereby, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, 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 of the Original Ordinance, as amended and supplemented hereby, 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 5 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 6. The capital budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental 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 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 amendatory and supplemental bond ordinance by \$3,466,600 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(b) The average period of usefulness of said improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by the Original Ordinance, as amended and supplemented hereby, is 37.22 years.

(c) For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, an additional sum of \$500,000 is hereby included for items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense equal to an aggregate amount not exceeding \$1,700,000, such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

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 the

Original Ordinance, as amended and supplemented hereby. 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 of the Original Ordinance, as amended and supplemented hereby, and paid prior to the issuance of any bonds or notes authorized by the Original Ordinance, as amended and supplemented hereby, with the proceeds of such bonds or notes. This Section 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 of the Original Ordinance, as amended and supplemented hereby, 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 in the Original Ordinance, as amended and supplemented hereby, used to reimburse the Township for costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, 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 in the Original Ordinance, as amended and supplemented hereby, to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, will be issued in an amount not to exceed \$16,037,700. The costs to be reimbursed with the proceeds of the bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, will be "capital expenditures" in accordance with the meaning of section 150 of the

Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized in the Original Ordinance, as amended and supplemented hereby, is paid, or (ii) the date the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

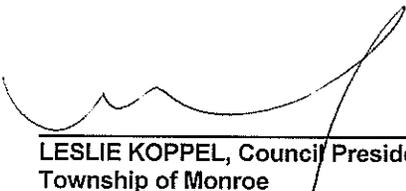
SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 11. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: May 2, 2016


SHARON DOERFLER, Clerk
Township of Monroe


LESLIE KOPPEL, Council President
Township of Monroe

ADOPTED ON SECOND READING
DATED: June 8, 2016

SHARON DOERFLER, Clerk
Township of Monroe

LESLIE KOPPEL, Council President
Township of Monroe

APPROVAL BY THE MAYOR ON THIS _____ DAY OF JUNE, 2016

GERALD W. TAMBURRO,
Mayor