

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
SPECIAL AND AGENDA MEETING - AUGUST 29, 2016

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

The Special Meeting was called to Order at 7:00 p.m. by Council President Leslie Koppel with a Salute to the Flag.

UPON ROLL CALL by the Township Clerk, Sharon Doerfler, the following members of Council were present: Councilman Blaise Dipierro, Councilman Michael Leibowitz, Councilwoman Elizabeth Schneider, Council Vice-President Stephen Dalina and Council President Leslie Koppel.

ALSO PRESENT: Mayor Gerald W. Tamburro, Business Administrator Wayne R. Hamilton, Attorney Greg Pasquale, sitting for Township Attorney Joel L. Shain, Engineer Mark Rasimowicz and Deputy Township Clerk Patricia Reid.

There were approximately ten (10) members of the Public present in the audience.

Council President Koppel to request the Township Clerk to read the following **SUNSHINE LAW** be read into the record:

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

1. Posted on August 15, 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 August 17, 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.

Council President Koppel announced the Special Meeting was being held for the consideration of Second Reading Ordinances and any other business that may come before the Council. The regularly scheduled Agenda Meeting will immediately follow.

The following **PROCLAMATION** of Mayor Tamburro was read by title into the record:

DRIVE SOBER OR GET PULLED OVER
2016 STATEWIDE CRACKDOWN
AUGUST 19, 2016 – SEPTEMBER 5, 2016

UPON MOTION made by Councilwoman Schneider and seconded by Council Vice-President Dalina, an Ordinance of which the following is the title, was moved on second reading for final passage: **ORDINANCE NO. O-8-2016-027 OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ORDINANCE as follows: (O-8-2016-027)

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

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various municipalities located in the County of Middlesex in the State of New Jersey (the "County") including the County and the Authority (the "2016 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2016 Program and to lease certain police and/or passenger vehicles from the Authority; and

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

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

Section 1. Pursuant to section 78 of the County Improvement Authorities Law, N.J.S.A. 40:48-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Lease, which Lease provides for the leasing of certain police and/or passenger vehicles acquired with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2016 (the "Bonds") to be issued by the Authority under a resolution of the Authority to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Lease, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

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

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

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

(1) The maximum Lease Payment Obligation for which the Municipality shall be obligated hereunder, which, *inter alia*, will be used for the payment of principal of and interest on the Bonds of the Authority shall not exceed the sum necessary to (a) acquire the Municipality's police and/or passenger vehicles described in Exhibit B attached hereto which will be subject to

the Lease, (b) pay interest on the Authority's Bonds allocated to the Municipality and used to acquire the Municipality's police and/or passenger vehicles, and (c) pay the Municipality's share of the costs of issuance, Authority Administrative Expenses, Additional Rent, County Guarantee Costs and all other amounts required to be paid by the Municipality under the Lease.

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

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

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

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

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

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

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

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

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

There was no Council or Public discussion of the Ordinance.

As Councilwoman Schneider and Council Vice-President Dalina regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE NO. O-8-2016-027 OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

UPON MOTION made by Council Vice-President Dalina and seconded by Councilman Michael Leibowitz, an Ordinance of which the following is the title, was moved on second reading for final passage: **ORDINANCE NO. O-8-2016-028 - A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2016 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,317,600, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ORDINANCE as follows: (O-8-2016-028)

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

WHEREAS, the Authority has determined to issue its revenue bonds for the purpose of financing the various capital improvements to be undertaken by and the acquisition, installation and, as applicable, subsequent leasing of certain capital equipment, including but not limited to police and passenger vehicles, to various governmental entities within the County of Middlesex, State of New Jersey (the "County"), including the County and the Authority (the "2016 Program"); and

WHEREAS, the Township of Monroe, in the County of Middlesex, State of New Jersey (the "Municipality") has determined to participate in the 2016 Program and to finance various capital improvements and acquire and install certain capital equipment through the Authority; and

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

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

Section 1. (a) The various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached to this loan ordinance and by this reference made a part hereof are hereby authorized as general capital improvements or purposes to be undertaken by the Municipality. For financing such improvements, purposes or loan, there is hereby appropriated the not to exceed sum of \$1,640,000.

(b) For the financing of the general capital improvements, purposes or loan and to provide monies to fund the not to exceed \$1,640,000 appropriation, a loan from the Authority to the Municipality is hereby authorized in a not to exceed amount of \$1,640,000 pursuant to the County Improvement Authorities Law and the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law").

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

(d) The estimated maximum amount of the loan for the various capital improvements and the acquisition and installation, as applicable, of certain items of equipment by the Municipality described in Exhibit B attached hereto is \$1,640,000.

(e) The estimated cost of said general capital improvements or purposes is \$1,317,600, with a not to exceed amount of \$1,640,000, which not to exceed amount includes all costs of issuance and items of expense listed in and permitted under section 20 of the Local Bond Law.

Section 2. Pursuant to the County Improvement Authorities Law and N.J.S.A. 40:23-1 et seq., the Municipality is hereby authorized and directed to enter into and perform the Loan Agreement, which Loan Agreement provides for various capital improvements to be undertaken and the acquisition and installation, as applicable, of certain items of equipment by the Municipality to be financed with the proceeds of County-Guaranteed Capital Equipment and Improvement Revenue Bonds, Series 2016 (the "Bonds") to be issued by the Authority under a resolution to be adopted by the Authority entitled, "Resolution of the Middlesex County Improvement Authority Authorizing the Issuance of County-Guaranteed Capital Equipment and Improvement Revenue Bonds" (the "General Bond Resolution"). The Loan Agreement, in the form submitted herewith in Exhibit A (a copy of which is on file in the office of the Clerk of the Municipality), is hereby approved with such changes, amendments or modifications as may be approved by counsel or bond counsel to the Municipality and bond counsel to the Authority and the County.

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

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

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

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

(b) The Bonds shall mature no later than 5 years from the date of issue.

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

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

(e) The average period of usefulness of the various capital improvements and items of equipment described in Exhibit B attached hereto within the limitations of the Local Bond Law, according to the reasonable useful life thereof computed from the dated date of the loan authorized by this loan ordinance, shall not exceed 5 years.

(f) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Municipality and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Municipality as defined in the Local Bond Law is increased by the authorization of the loan provided for in this loan ordinance by \$1,640,000 and the said loan authorized by this loan ordinance will be within all debt limitations prescribed by the Local Bond Law.

(g) An aggregate amount not exceeding \$268,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the various capital improvements and items of equipment described in Exhibit B attached hereto.

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

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

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

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

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

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

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

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

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

There was no Council or Public discussion of the Ordinance.

As Council Vice-President Dalina and Councilman Leibowitz regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE NO. O-8-2016-028 - A LOAN ORDINANCE OF THE TOWNSHIP OF MONROE, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF A LOAN AND SECURITY AGREEMENT WITH THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY FOR THE UNDERTAKING OF VARIOUS 2016 CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION, AS APPLICABLE, OF VARIOUS EQUIPMENT WITH AN ESTIMATED COST OF \$1,317,600, THE COST OF SUCH IMPROVEMENTS AND EQUIPMENT TO BE FINANCED THROUGH THE ISSUANCE OF COUNTY-GUARANTEED CAPITAL EQUIPMENT AND IMPROVEMENT REVENUE BONDS, SERIES 2016 OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY.**

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

Copy of Ordinance Duly Filed.
O-8-2016-028

UPON MOTION made by Councilman Leibowitz and seconded by Council Vice-President Dalina, the following entitled Resolutions were moved for adoption under the **CONSENT AGENDA**, as herein below set forth:

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

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

R-8-2016-309 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) (DRIVE SOBER OR GET PULLED OVER 2016 CRACKDOWN - \$5,000.00).

R-8-2016-310 RESOLUTION AUTHORIZING THE TOWNSHIP BUSINESS ADMINISTRATOR/QPA TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR TREE PLANTING.

UPON MOTION made by Councilwoman Schneider and seconded by Councilman Leibowitz, the Special Meeting was Adjourned and the regularly scheduled Agenda Meeting Called to Order at 7:05 p.m.

ROLL CALL: Councilman Blaise Dipierro	Aye
Councilman Michael Leibowitz	Aye
Councilwoman Elizabeth Schneider	Aye
Council Vice-President Stephen Dalina	Aye
Council President Leslie Koppel	Aye

Council President Koppel read the following entitled Ordinance for **SECOND READING** at the Wednesday, September 7, 2016 Regular Meeting:

O-7-2016-026 ORDINANCE AMENDING CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF MONROE, ENTITLED "LAND DEVELOPMENT". (Tabled at the August 1, 2016 Meeting)

Council President Koppel read the following entitled **ORDINANCES** for **INTRODUCTION** at the Wednesday, September 7, 2016 Regular Meeting:

- O-9-2016-029** **ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF MONROE TO PROHIBIT THE DISCHARGE OF FIREARMS AND WEAPONS AND REGULATE POSSESSION.**
- O-9-2016-030** **ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PARCELS OF LAND FOR TRAFFIC SIGNALIZATION AT THE INTERSECTION OF PERRINEVILLE ROAD (CR625) AND FEDERAL ROAD.**
- O-9-2016-031** **ORDINANCE AMENDING CHAPTER 122 OF THE CODE OF THE TOWNSHIP OF MONROE ENTITLED "VEHICLES AND TRAFFIC"** (Speed Limit change on Spotswood Gravel Hill Rd. and Weight Restriction on Gravel Hill Road).
- O-9-2016-032** **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.**

Council President Koppel requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, SEPTEMBER 7, 2016** Regular Council meeting be reviewed and any questions will be addressed:

- R-9-2016-311** **RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEE FOR W&S 1084, MATRIX DEVELOPMENT GROUP, BLOCK 56, LOTS 7.01, 9.011 & 17, POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-312** **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEES FOR BLOCK 15, LOT 10.02, GARDENS @ MONROE - W&S 1007- POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-313** **RESOLUTION AUTHORIZING CHANGE ORDER #1 TO A PROFESSIONAL SERVICE CONTRACT WITH JOHNSON, MIRMIRAN & THOMPSON, INC. (JMT, INC.) FOR ADDITIONAL GENERAL ENGINEERING SERVICES FOR MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-314** **RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO UTILITY SERVICE CO., INC. FOR CONTRACT 457 - "SUBMERSIBLE TANK MIXER SYSTEMS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-315** **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ALLIED CONSTRUCTION GROUP, INC. FOR CONTRACT 454 "WELL 16A IMPROVEMENTS" BY THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-316** **RESOLUTION AUTHORIZING MODIFICATION #3 TO A CONTRACT AWARDED TO SUBURBAN CONSULTING ENGINEERS, INC. FOR VARIOUS PIPELINE GENERAL ENGINEERING FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").**
- R-9-2016-317** **RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS WITH CENTER STATE ENGINEERING FOR VARIOUS MONROE TOWNSHIP MUNICIPAL PROJECTS.**

- R-9-2016-318 RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES POSTED BY TARHEEL BLUE LLC FOR BA-5036-11.
- R-9-2016-319 RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE HELD BY MONROE 33 RESTAURANT, LLC. FOR THE 2016-2017 LICENSE TERM.
- R-9-2016-320 RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF A PORTION OF MONMOUTH ROAD FOR OKTOBERFEST CELEBRATION.
- R-9-2016-321 RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 33 FOREST PARK TERRACE.
- R-9-2016-322 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE MATTERS RELATED TO THE CASE OF TOWNSHIP OF MONROE v. BLACK ROCK ENTEPRISES, LLC ET AL. AS EXTRAORDINARY LITIGATION.
- R-9-2016-323 RESOLUTION OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING CME ASSOCIATES TO PETITION THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF THE WIDENING OF THE HIGHWAY-RAIL CROSSING ON PROSPECT PLAINS ROAD (COUNTY ROUTE 614).
- R-9-2016-324 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY DEFINO CONTRACTING COMPANY IN CONNECTION WITH THE 2015 ROAD IMPROVEMENTS – MILLING AND PAVING OPERATIONS PROJECT.
- R-9-2016-325 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) (FEDERAL BULLETPROOF VEST PARTNERSHIP PROGRAM - \$3,811.50).
- R-9-2016-326 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) (MIDDLESEX COUNTY OFFICE ON AGING – SENIOR OUTREACH - \$1,000.00).
- R-9-2016-327 RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR THE MONROE TOWNSHIP DEPARTMENT OF PUBLIC WORKS UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.
- R-9-2016-328 RESOLUTION AUTHORIZING THE APPROVAL OF CHANGE ORDER NO. 1 AND FINAL SUBMITTED BY QUALITY 1ST CONTRACTING, INC. IN CONNECTION WITH THE TOWNSHIP WIDE ROAD IMPROVEMENTS AND CONCRETE IMPROVEMENTS PROJECTS.
- R-9-2016-329 RESOLUTION AUTHORIZING SHAIN, SCHAFFER & RAFANELLO, P.C. TO HANDLE THE MATTER OF LAKEVIEW LOAN SERVICING, LLC v. TOWNSHIP OF MONROE, ET AL., AS EXTRAORDINARY LITIGATION
- R-9-2016-330 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENT.
- R-9-2016-331 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR TITLE SURVEY, PROPERTY DESCRIPTION AND PHASE 1 ENVIRONMENTAL ANALYSIS ON VARIOUS PROPERTIES UNDER THE OPEN SPACE PROGRAM.
- R-9-2016-332 RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CENTER STATE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES AND SURVEYING SERVICES IN CONNECTION WITH THE SUBDIVISION OF BLOCK 52, LOTS 1.01 & 23.03 CAPITAL PROJECT.

R-9-2016-333 **RESOLUTION AUTHORIZING ACCESS TO THE TRENT ROAD PUMP STATION FOR CONSTRUCTION OF THE GLEN ROCK DAM REMOVAL PROJECT.**

R-9-2016-334 **RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE UPON THE POSTING AND ACCEPTANCE OF MAINTENANCE GUARANTEE FOR BLOCK 111, LOTS 10 & 11, W&S 1149 POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT (“M.T.U.D.”).**

Mayor’s Report – Mayor Tamburro bid farewell to Sharon and welcomed Patricia Reid, who will be sworn as the new Township Clerk at our next meeting.

Administrator’s Report – Administrator Hamilton shared that it has been a pleasure working with Sharon and congratulated her on her retirement. He also announced that Boris Hladek, video production teacher at the high school, will temporarily be in charge of recording the council meetings until a permanent replacement is found.

Engineer’s Report – Engineer Rasimowicz wished Sharon well in her retirement. He also added that the land acquisition for Federal and Perrineville Road is moving forward; the bid opening will be in September and looking to award in October for the intersection improvements.

Council’s Reports:

Councilwoman Schneider –

- Thanked Sharon for her years of dedication and expressed her gratitude and appreciation for her help throughout the two years that she has known her.
- Expressed that she is heartbroken over the death of Joe Harvie and commented that she will miss him.

Councilman Dipierro –

- Commented that it is bittersweet to see Sharon leave and wished her well on her retirement.
- The Indian Community Association of Monroe Township (ICAM) held a safety meeting at the library with the police department and addressed several burglaries that had happened in town because they felt they were being targeted.
- On August 20th ICAM held an event at the Dey Farm which was very well attended.
- Attended the Stonebridge Art Show and was very impressed with the artwork from the residents.

Councilman Leibowitz –

- He has been on Council since 1980 when Sharon first started as Township Clerk and is glad to see her retire. It has been a pleasure working with her.
- Attended Fire Company 51 Volunteer Recruiting Day – 6 people recruited with a few others who were interested.
- Donations for the MS ride Joe Harvie took part in every year will continue as his brother John and fiancée Eileen will be riding in his memory. He added that more information is on Facebook and it will be a real tribute to Joe for everyone to donate.

Council Vice-President Dalina –

- It has been an honor and privilege to work with Sharon.

Council President Koppel –

- Asked Administrator Hamilton to contact M.C.I.A to obtain the big purple, green and blue bins for recycling, as the bins we have currently are insufficient.
- Extended thanks to Sharon for her many years of service, hard work and for being the backbone of the Township and the Council.
- Joe Harvie was a great friend and will be truly missed.

Public Portion:

Allan Kahn, 11 Crenshaw – Mr. Kahn asked for the dollar amounts on some of the following resolutions:

R-9-2016-317 – Administrator Hamilton answered that this is for engineering expenses for 2016 capital projects inclusive of some big projects, such as, the intersection of Matchaponix Avenue and Pergola Avenue which is \$200,000. GIS mapping is \$75,000, library parking lot is \$65,000 and drainage improvements are \$15,000, Spotswood-Englishtown Rd. drainage is \$15,000, EMS and police site building is \$100,000 and concrete improvements are \$15,000.

R-9-2016-322 – Administrator Hamilton answered that this is for litigation between the Township and Black Rock Enterprises for \$20,000.

R-9-2016-329 – Administrator Hamilton answered that this is for litigation where Monroe Twp. is named as one of several defendants, the cost being \$10,000.

R-9-2016-331 – Administrator Hamilton answered that this is for the survey and engineering analysis for seven Open Space properties which encompass 280 acres. The cost is \$81,500.

R-9-2016-332 – Administrator Hamilton explained that this is for the subdivision of a piece of property that the Township has received for the use of Open Space, Board of Education and Fire District 3, all of which total approximately 6 acres. The cost being \$11,500.

Lucille DiPasquale, 70 Avenue K – Lucille expressed that the Township is the way it is because of Sharon and that she is one of a kind and will be missed.

There will be a table set up to take in donations for MS and a scholarship fund has been talked about to be put in Joe Harvie's name. Mayor Tamburro interjected that he hopes everyone has received a copy of the Monroe News, as Joe did a bulk of the writing for that publication and this issue was dedicated to his memory. He also added that other ideas have been discussed on how to honor Joe's memory as he was such an important piece to the Township.

Michele Arminio, 9 Nathaniel Street – Wished Sharon luck on her future endeavors. She is sad about Joe's passing and extended her condolences to his family and fiancée, as well as, the community.

Mrs. Arminio asked when will the next Fair Share Housing Hearing be; Mayor Tamburro answered it is scheduled for 9/17/2016 with Judge Wolfson.

She had a few questions regarding several resolutions:

R-9-206-314 – What is a submersible tank system; Mike Barnes explained mixers are going in the tanks, spinning like propellers that keep the water fresh. It is an internal circulation system which is cheaper to do than pumping. Mrs. Arminio asked how much this will cost, to which Mr. Barnes answered \$291,000.

R-9-2016-316 – What is the pipeline general engineering and what is the material going through the pipeline; Mr. Barnes explained that on State Street the line was abandoned and two valves were shut off, so it will be a replacement of that pipe, which is a water pipe. The 2nd item is eliminating Zone 2 which has five regulators, the cost of which will be \$22,920. Mrs. Arminio asked if it is potable water; Mr. Barnes answered yes. She asked if the Township has an allocation that is regulated by the state for today's population; Mr. Barnes answered yes, right

now it is at about two million excess firm capacity. He explained that every year a master plan is put together as to what the water capacity coming in will be each day.

R-9-2016-328 – Mrs. Arminio asked how much the change order is for; Administrator Hamilton answered that it is a negative change order in the amount of \$7,170.87. Engineer Rasimowicz further explained that it is a reduction in quantities needed for the concrete curb and sidewalk project.

R-9-2016-332 – Asked for clarification on Center State Engineering's services being needed for Blocks 52, Lots 1.01 and 23.03; Administrator Hamilton explained that is the six-acre piece subdivided with the Board of Education, Township Open Space and the Fire District. She asked what the cost will be; Administrator Hamilton answered the cost will be \$11,500.00.

UPON MOTION made by Council Vice-President Dalina and seconded by Councilwoman Schneider, the Agenda Meeting was Adjourned at 7:35 p.m. with full consensus of Council.

ROLL CALL:	Councilman Blaise Dipierro	Aye
	Councilman Michael Leibowitz	Aye
	Councilwoman Elizabeth Schneider	Aye
	Council Vice-President Stephen Dalina	Aye
	Council President Leslie Koppel	Aye

PATRICIA REID, Township Clerk

LESLIE KOPPEL, Council President

Minutes were adopted on November 9, 2016