

COUNCIL OF THE TOWNSHIP OF MONROE
MINUTES
SPECIAL & AGENDA MEETING – DECEMBER 26, 2012

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

The Special Meeting was Called to Order at 7:00 p.m. by Council President Gerald W. Tamburro with a Salute to the Flag.

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

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

ABSENT: Township Attorney Joel L. Shain.

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

Council President Tamburro requested the following **SUNSHINE LAW** be read into the record:

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

1. Posted on January 6, 2012 on the Bulletin Board of the Office of the Township Clerk in the Municipal Building, 1 Municipal Plaza and remains posted at that location for public inspection;
2. Printed in the **HOME NEWS TRIBUNE** and **CRANBURY PRESS** on January 6, 2012;
3. Posted on January 6, 2012 on the Bulletin Boards within the Municipal Complex;
4. Posted on the Monroe Township website; and
5. Sent to those individuals who have requested personal notice.

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

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the **CLAIMS** per run date of **12/20/2012** were approved for payment as presented.

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

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, the **MINUTES** of the **November 13, 2012 Agenda & Regular Meeting** and **November 26, 2012 Agenda Meeting** were approved as written and presented.

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

UPON MOTION made by Councilwoman Koppel and seconded by Councilman Dalina, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, CHAPTER 39 ENTITLED “FEES”**.

Ordinance as follows (O-12-2012-039:

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 and **shall be effective as of January 1, 2013**: (new text is underlined, text to be deleted is)

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.

A. General Fees

(5). Division of Ambulance Services.

(a). Clinical Coordinator Training Fees.

NJ EMT Refresher (Core 13) 150.00

B. Licenses and permits from Township Clerk’s office.

(1). **Chapter 8, Alcoholic Beverages.**

(a) Plenary retail consumption: one thousand eight hundred seventy two dollars (\$1,872.).

(b) Plenary retail distribution: one thousand four hundred eighty two (\$1,482.).

(c) Club license: one hundred seventy dollars (\$170)

(3) **Chapter 33, Dogs and Other Animals.**

(a) License required: Fee.

- | | |
|-------------------------|----------|
| (1) Dog licensing fees: | |
| License Fee: | \$ 8.80 |
| Pilot Clinic Fund: | 0.20 |
| Registration tag fee: | 1.00 |
| Non-spayed/non-neutered | 3.00 |
| Late: | 10.00 |
| (2) Cat licensing fees: | |
| License Fee: | \$ 10.00 |
| Non-spayed/non-neutered | 3.00 |
| Late: | 10.00 |

(4) **Chapter 47, Food Establishments.**

(a) Retail food establishments, permanent locales: one hundred dollars (100.00) Annually.

(6) **Chapter 61, Licenses and Chapter 77, Peddling and Soliciting.**

(a) Exempt from obtaining licenses: All charitable or religious organizations; honorably discharged veterans; all volunteer firemen organizations; firemen; school organizations; political groups; social clubs; government entities and farmers vending their own produce.

(b) Auctioneers:

- (1) Annual: one hundred dollars (\$100.).
- (2) On and after July 1: fifty dollars (\$50.).
- (3) Daily: five dollars (\$5.).

(c) Canvassers, peddlers and solicitors: fifty dollars (\$50.) for Original Applicant and twenty five (\$25.) for each additional individual listed on application.

(8). Vital Records:

- (c) Certified copies: ten dollars (\$10.)
- (d) Burial permit fee: five dollars (\$5.)

(14). Bingo and Raffle Licenses.

All Fees are due at the time of Application.

- (a) Off-Premises Draw Raffle:
If awarding Merchandise the Fee is twenty dollars (\$20.) per one thousand dollars (\$1,000.) of the value of prizes, or part thereof as shown in the schedule below:

FEE SCHEDULE

Retail Value of Prizes	Municipal Fee
\$.00 - \$1000.	\$20.00
\$1000.01 - \$2000.	\$40.00
\$2000.01 - \$3000.	\$60.00
\$3000.01 - \$4000.	\$80.00
\$4000.01 - \$5000.	\$100.00
\$5000.01 - \$6000.	\$120.00
\$6000.01 - \$7000.	\$140.00
\$7000.01 - \$8000.	\$160.00
\$8000.01 - \$9000.	\$180.00

To continue the above schedule, add a \$20.00 fee for each additional \$1,000.00.

- (b) Off-Premises Cash (50/50) Raffle:
A twentydollar (\$20.) fee at the time of application.
- (c) On-Premises Draw Raffle Awarding Cash or Merchandise as a prize exceeding four hundred dollars (\$400.) total prize value, tear off tickets: twenty dollars (\$20) per day.
- (d) On-Premises Draw Raffle Awarding Cash or Merchandise as a prize, not exceeding four hundred (\$400.) total prize value, No Licensing fee.
- (e) Bingo: twenty dollars)(\$20.) each occasion
- (f) Carnival Games or Wheel: twenty dollars) for each game or wheel held on any one (1) day, or any series of consecutive days not exceeding six (6) consecutive days in one (1) week at any one (1) location.
- (g) Special Door Prize Raffle: No Fee and no license, provided the merchandise is wholly donated and has a retail value of less than fifty dollars (\$50.) Note: cannot be conducted when other games of chance are being conducted, held or operated.
- (h) Calendar Raffle: twenty dollars (\$20.) for each one thousand dollars (\$1000.) or part thereof of the retail value of the prize. See Fee Schedule.
- (i) Instant Raffle:
 - 1. twenty dollars (\$20.) for each day on which instant raffle tickets are sold or offered for sale or
 - 2. Seven hundred fifty dollars for a one (1) year license.

- (j) Golf Hole-in-One: twenty dollars (\$20.) for each one thousand (\$1000.) or part thereof of the retail value of the prize. See Fee Schedule.
- (k) Armchair Race: fifty dollars (\$50.) per licensed day of operation.
- (l) Casino Nights: one hundred dollars (\$100.) per occasion.
- (17.) Pet Shops
 - (a). One Hundred Dollars (\$100.00)

C. CONSTRUCTION FEES: See fees on the following Schedules I through VII.

TOWNSHIP OF MONROE

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

Item		Cost
A. Certificate of Occupancy	(Schedule 1)	\$ 75.
Refer to :	(Schedule 2)	\$100.
II. Building Subcode Fee Schedule	(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
H. Minimum fee per Subcode applied for		\$45.

II. BUILDING SUBCODE FEE SCHEDULE (Section 39-3)

Type of Work	Schedule #2	Schedule #3
C. Site Construction associated with pre-Engineered systems of commercial farm Buildings, pre-manufactured construction and Eternal utility connections of same.	\$100.	\$200.

Schedule #1

F. Sign (not exempt under N.J.A.C. 5:23-2.14(b)6.)	N/A
--	-----

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

Item	Based on	Cost
F. SOLAR INSTALLATIONS		
Inverter	1 kw up to 4 kw	\$ 45.
	5 kw up to 24kw	\$ 85.
	25kW up to 50kW	\$105.
	51kW up to 75kW	\$130.
Sub panels and Disconnects	Up to 199 Amperes	\$ 60.
	200 to 399 Amperes	\$ 85.
	Over 400 Amperes	\$350.

VI. PLUMBING SUBCODE FEE SCHEDULE (Section 39-3)

Fixture/Equipment	Based on	Cost
Water Closet	each	\$ 15
Urinal/Bidet	each	\$ 15
Bath Tub	each	\$ 15
Lavatory	each	\$ 15
Shower	each	\$ 15
Floor Drain	each	\$ 15
Sink	each	\$ 15
Dishwasher	each	\$ 15
Each appliance connected to Gas piping or Oil piping	each	\$ 15.
Drinking Fountain	each	\$ 25.
Washing Machine	each	\$ 15
Hose Bib	each	\$ 15
Water Heater	each	\$ 15
Fuel Oil Piping	flat fee	\$ 25
Steam Boiler	each	\$100..
Hot Water Boiler	each	\$100.
Sewer Pump	each	\$ 75.
Interceptor/Separator	each	\$ 50.
Backflow Preventer (Lawn Sprinkler)	each	\$ 40.
Grease trap	each	\$ 65.
Sewer Connection	each	\$ 65.
Water Service Connection	each	\$ 65.
Stacks	each	\$ 15.
Other:		
Active Solar Systems	each	\$100.
Commercial Heating and Equipment (RTU)	each	\$ 65.
Roof Drains	each	\$ 25.
Water Cooled AC or Refer. Units	each	\$100.
Cross-connections and Backflow Preventers	flat fee	\$100.
Subject to testing and requiring annual inspection.		
LPG Tanks	flat fee	\$100.
Backflow preventer	new/replacement	\$ 85.
Hot Air Furnace *	each	\$ 35.
Oil Tank	each	\$ 35.
Fireplace	each	\$ 35.
Air Conditioner/Air Handler	each	\$ 35.
Other:	each	\$ 35.
Chimney/Vent ****		
Hydronic Piping ***		
Radon Mitigation *		

NOTES:

- * If new electrical work is required in the installation of fixture/equipment a properly filed Electrical Subcode Technical Section Form F-120B must be filed with the application for permit and certified as required by the Electrical Contractors Licensing Act, N.J.S.A. 45:5A-1 et seq. N.J.S.A. 45:1-14 et seq. and N.J.A.C. 13:31.
- ** If replacement of fixture/equipment will encompass backflow or cross connection work a separate Plumbing Subcode Technical Section Form #F-130B must be filed with the application for permit and certified as required by the Master Plumbers Licensing Act, N.J.S.A. 45:14C-7 et seq., N.J.S.A. 45:1-32 et seq. And N.J.A.C. 13:32-1.
- *** If replacement of fixture/equipment will include Fuel, Gas or Hydronic Piping as part of the proposed work, fee(s) are based on the fixture/equipment only.
- **** A chimney Certification for Replacement of Fuel-Fired Equipment may be accepted per N.J.A.C. 5:23-2.20(c).

F. Department of Planning and Environmental Protection

(1) Chapter 96, Shade Trees and Shrubbery; Landscaping.

- (a) Initial Application: Twenty five dollars (\$25).
 - (1). Removal of first five (5) trees – no charge.
 - (2) Fifteen (\$15.) per tree in excess of five (5).

(2) Chapter 108, Subdivision of Land.

- (c) Zoning Permit application fees:
 - (2) Residential uses: twenty five (\$25).

J. Monroe Township Utility Department fees and charges.

RATE SCHEDULE

PART 1 – SEWER SERVICE

SECTION A – DEFINITIONS

A “UNIT” shall be defined as follows:

- 1. Residential:
 - (a) Each single family dwelling.
 - (b) Each single family apartment dwelling in a multiple family structure or structures.
- 2. For users other than residential:, including each tenant in a non-residential building, an Equivalent Dwelling Unit of sewage flow shall be deemed to equal 140 gallons per day of sewage flow. Example: 140gal/day x 360 days = 50,400 gal/year = one unit.

Customer – shall be the owner of the property. For existing multi-family or non-residential customers with multiple meters the MUA will continue as a courtesy to send the bills to the Tenant with a copy to the Owner. The Owner is responsible for payment of the bills. If the bill(s) are unpaid a lien will be placed on the property.

BOD shall mean the capacity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Centigrade.

Suspended Solids shall mean solids that either float on the surface or are in suspension in water, sewage, or other liquids and those which are removable by laboratory filtration.

Chlorine Demand is the difference between the amount of chlorine applied to a treated supply and the amount of free combined or total available chlorine remaining at the end of the contract period.

GREASE: Grease is defined to include the accumulation of oils, fats, cellulose, starch, proteins, wax, or grease, whether emulsified or not, in the Sewer System of the Authority. These are substances which may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred-fifty (150 Fahrenheit) (0 degrees – 65 degrees Celsius).

GREASE GENERATING ESTABLISHMENTS: Grease generating establishments, shall mean all retail food establishments, catering establishments, commercial food preparation facilities, meat processing facilities, and other establishments that may be capable of accumulating and discharging grease into the Sewer System.

OWNER: Owner shall mean individual, person, firm, company, association, society, corporation, or group upon whose property the building or structure is located or will be constructed. In the event that one entity owns the building while another entity owns the property then the Owner is the latter of the two.

SECTION B – ANNUAL SERVICE CHARGES

Classification

Minimum Annual Service Charge

1. Residential (as defined in Section A (1) above).

\$259.00per unit

2. All users other than residential:

- (a) For the first unit or portion thereof, a minimum annual service charge of \$259.00.
- (b) For those users whose quarterly sewage flow exceeds 12,690 gallons based on metered water consumption or actual sewage flow the rate shall be as follows:

Quarterly usage (#of Gallons)		Rates
From:	To:	
0	12,690 gallons per qtr.	\$64.75 per quarter
12,690 gallons per qtr.	And over	\$64.75 plus \$5.68 per 1,000 gallons

- (c) All water consumption readings shall be those obtained by the Authority from its own billing records where the Authority is supplying the water, or from the water company furnishing water to the respective units. If a customer obtains its water supply from a private well or an un-metered public water supply, then the user shall install a meter, location of which is to be approved by the Authority. In the event the user fails to install said meter after receiving notice from the Authority, then such installation shall be made by the Authority. In either case, the costs of the meter and the installation thereof shall be borne by the user. The meter shall be of the type approved by the Authority and may be purchased from the Authority. Prices of meters will be furnished upon request to the Authority.
- (d) In the event that estimated usage should prove to be inaccurate, the Authority reserves the right to recalculate prior Annual Service Charges with the difference charged to or credited to the user.
- (e) In the event a customer claims a substantial water use, the waste product of which does not pass into the sewer system, the customer shall have an option of specifically metering the waste usage which does not flow into the sewer system and the water so used shall be deducted from the total water usage in computing annual water consumption. All customers shall have the option of installing a sewer meter at the customer's cost and expense and in the event of such an installation, the readings on said sewer meter shall be substituted for the annual water consumption as set forth in subsection (b) hereof.
- (f) An industrial cost recovery surcharge shall be collected by the Authority for those users whose sewage characteristics exceed one or more of the following standards:
 - 1. Biochemical oxygen demand (BOD) greater than 200 parts per million (PPM).
 - 2. Suspended solids greater than 250 PPM.
 - 3. Chlorine demand in excess of 15 PPM.

For such users the industrial cost recovery surcharge shall be based on the Schedule of Rates charged by Middlesex County Utilities Authority plus a twenty-five percent administrative fee.

Where the industrial cost recovery surcharge is charged to another municipality, the charge shall be based on the Schedule of Rates charged by Middlesex County Utilities Authority plus a ten percent administrative fee.

The characteristics of the sewage waste shall be determined from actual samplings or other approved means, and shall be based upon analysis made in accordance with the procedure outlined in the latest edition of "Standard Methods of Analysis of Water and Sewage" published by the American Public Health Association. The Authority may require the installation of automatic samplers at the cost of the owner to obtain representative samples during a calendar quarter, or as may be required. The cost of sampling and analysis will be borne by the customer.

- (g) Control of Grease. No person shall discharge or cause to be discharged into the Sewer System, any water or waste containing more than one hundred (100) PPM by weight of fats, oils or grease.

In the event it is determined that blockage of an Authority sewer main is a result of the discharge from any grease generating establishment, all costs incurred by the Authority will be charged to the Owner of said grease generating establishment. Such costs can include but are not limited to, cost of clearing the blockage; damages to sewer lines; administrative, legal, and engineering costs; cleanup of pollution to surrounding soils or water; and reimbursement of any penalties imposed by regulatory agencies.

In addition to such other remedies as may be provided by law for violation of these regulations, the Authority may add such bacteria formulations to the Sewer System servicing grease generating establishments regulated herein. The Authority may charge the cost thereof as an additional sewer use charge to the Owner who is in violation of any provision of this regulation.

In the event of any violation of this regulation or of any improper unauthorized use of any portion of the sewer system by any owner, then the Owner shall in the discretion of the Executive Director be penalized a maximum of Five Hundred (\$500.00) Dollars for each violation or improper unauthorized use. Each Day in which a violation or improper unauthorized use occurs, shall be deemed a separate offense. For purposes of this regulation, two (2) test readings showing more than 100 parts per million by weight of fats, oils or grease within a calendar month shall be deemed to be presumptive evidence of a violation occurring in each day of that calendar month.

SECTION C – PAYMENT OF ANNUAL SERVICE CHARGES

1. All sewer service charges are payable quarterly in advance.
2. All charges shall be payable on or before the due date of the bill. Any charges which are not paid by the due date will be charged a penalty of (1%) per month or fraction of a month, back to the billing date. Any partial payment of a bill will be applied first to interest charges, then to the oldest service charges.
3. If any account which remains unpaid after the due date will be sent a reminder. If any account is still unpaid at thirty (30) days after the date due, a notice will be sent giving fifteen (15) calendar days to make payment or services will be discontinued. If payment is not received within fifteen (15) calendar days service will be shut off and a shut off fee of \$75.00 will be assessed to the account.
4. All penalties are due and payable within thirty (30) days from the date that the Owner is notified in writing of the violations charged and the penalty to be imposed. In the event the penalty is not paid as required under these rules, then the Utility Department in its discretion may take all actions available to it for the non-payment of sewer charges as provided in N.J.S.A. 40A:26A-12. For purposes of these regulations, the Owner shall be responsible for the actions of any tenant using the sewer system.

The penalties imposed in this section shall be cumulative to other remedies afforded to the Utility Department by statute, as provided in N.J.S.A. 40A:26-14.

SECTION D – CONNECTION FEES AND CHARGES

1. The initial fees for the right to connect directly or indirectly to the Authority’s sewer system shall include a connection charge or fee per unit, as well as fees for applications, review, and inspection of work to be accomplished by the applicant in keeping with the Authority’s “Rules and Regulations Governing Applications to the Monroe Township MUA for Construction of Comprehensive Sewer Systems in the Township of Monroe.” These connection fees, which are one-time initial service charges for the right to connect to the Authority’s sewer system, are calculated in accordance with N.J.S.A. 40A26A-11 and are an integral part of this Rate Schedule.
2. The connection fee for each unit shall be \$2,974. Connection fees for single family homes not part of a real estate development are payable at the option of the applicant in two installments with the initial installment paid prior to the time of the connection and the second payment due within one year. Interest shall accrue and be due to the Authority at 1% per month on the unpaid balance. In the case where the system is under construction but not yet available for connection, connection fees can be paid at the option of the applicant in two (2) installments without interest.

In the case of real estate developers, the connection fees for any development of ten (10) or less units shall be payable at the time of final approval.

In any development of more than ten (10) units, connection fees for the first ten (10) units shall be payable at the time of final approval with the balance of connection fees payable in groups of ten (10) units at a time in advance of the building permit.

3. For a user other than residential with estimated sewage flows in excess of 140 gallons per day the connection fee shall be based on the number of units as defined in Section A (2) above. Fractional number of units shall be calculated to the next highest unit.
4. Where a connection to the sewer system is to be made after construction of mains has been completed and sewer service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction and inspection from the main to the curb, such construction to be performed by an approved contractor and inspection by the MUA.
5. No connection to the Authority’s sewer system shall be made until compliance with the requirements set forth in this Section have been met, and no excavation shall be back-filled until inspection has been completed by the duly designated representative of the Authority.

SECTION E – FILING, REVIEW AND INSPECTION FEES

1. Where mains are to be constructed by anyone other than the Authority, the applicant shall make application and pay fees for the time of Authority personnel on an hourly basis to draw down against the deposit as listed below:
 - a) Application for Review of Preliminary Plans:
Minor Subdivision Fee \$ 500.00

Major Subdivision or Major Site Plan-Deposit \$ 900.00minimum
or \$25.00 per unit whichever is greater.
 - b) Application for Tentative Approval:
Review Fee – Deposit
1-1/2 % of estimated construction cost or \$450 minimum.

- c) Application for Final Approval:
Review Fee – Deposit
1-1/2 % of estimated construction cost
- d) Inspection Fee – Deposit
5% of estimated construction cost
- e) Application for extensions of approval must be accompanied by a review fee deposit of \$500.00. Application for revisions after submittal and initial review must be accompanied by a review fee deposit of \$900.00.
- f) Request for USEPA grant waiver or mapping revision must be made by the Owner of the property. A \$500.00 processing fee made payable to MTMUA must accompany the request.

If the deposit is depleted before completion of review or inspection, the applicant shall deposit an additional amount to complete the review or inspection as estimated by the Authority Engineer within five (5) days of notification or all review and inspection will cease at the end of five (5) days after notification.

Any review fees for Preliminary Minor Applications is a flat fee and no portion will be returned to the applicant upon approval by the Utility Department.

Minor applications include any residential application which does not require extension of water and or sewer facilities (including service connection in the street) and which will not connect more than three houses to the water/sewer system. All commercial/industrial applications are major applications; however, the Utility Department may charge the lower minor review fee to tenants in newly approved commercial buildings for individual tenant fit out.

Any deposit monies other than review fees for Preliminary Minor Application not used will be returned to the applicant upon request after the project is completed. The Authority will retain sufficient funds to conduct an inspection at the end of the maintenance period.

The amount charged by the Authority for review and/or inspection shall be calculated by the Authority on an annual basis after the adoption of the Authority's budget for the coming fiscal year, and shall be based on the hourly salary cost to the Authority plus the cost of fringe benefits payable to said individual and the cost of the overhead of the Authority allocable to that employee.

- 2. All persons wishing to connect to the sewer system are required to make application for connection under the terms of the preceding paragraph and pay the required fees as outlined in that paragraph.
- 2A. Each time there is a change in the owner or tenant of a non-residential unit, the owner shall file an application for approval.

SECTION F – RATES CHARGED TO CUSTOMERS SERVICED BY OTHER ENTITIES

Rates charged to customers who are serviced by other entities through contract between the Monroe Township Municipal Utilities Authority and that entity shall be at that rate which is set forth in the contract with the entity, plus a twenty-five percent administrative cost unless prohibited by the contract with the other entity.

SECTION G- RESERVATION, RIGHT TO MODIFY

The Township of Monroe reserve the rights to modify or change any of the foregoing rules or make such addition, by rules and regulation, as maybe found essential in the protection of the public interests and the management of the Department and to impose such additional restrictions as may be deemed necessary.

If any of the above regulations is declared or held to be unconstitutional or legally inoperative, no other portion of this regulation shall be affected, but the unconstitutional or inoperative provision shall be rescinded and remaining provisions of this regulation shall remain in effect.

PART II – WATER SERVICE
SECTION A – DEFINITIONS:

- A. "UNIT" shall be defined as follows:
1. Residential
 - a) Each single family dwelling
 - b) Each single family apartment dwelling in a multiple family structure or structures.
 2. Other than Residential: includes each tenant in a non-residential building, One Equivalent Dwelling Unit of potable water shall equal **193 gallons per day** of estimated water consumption or fraction thereof. In a building with more than one tenant or occupant, each separate tenant or occupant shall be calculated separately. Example: 193 gal/day x 365 days = 70,445 gal/year = one unit.
 3. IRRIGATION: One equivalent unit of water used for irrigation shall equal **570 gallons per day** of water consumed or fraction thereof. Connection fees set forth in Section I shall be applicable.

SECTION B – FIXED SERVICE CHARGES FOR WATER

1. All metered general water service users shall pay a fixed service charge based on the size of each connection installed, in addition to the charges for the quantity of water used, if any.

	Size of Connection	Fixed Service Charge per Quarter
(A)	Residential: 5/8" or 3/4"	\$13.28
	1"	\$26.55
	Multiple Dwelling	\$13.28 per unit
(B)	Residential without electronic radio transmitter: 5/8" or 3/4"	\$38.28
	1"	\$45.55
	Multiple Dwelling	\$38.28 per unit
(C)	Commercial 5/8" or 3/4"	\$13.28
	1"	\$26.55
	1 – 1/2"	\$39.80
	2"	\$55.78
	3"	\$94.84
	4"	\$132.76
	6" and Over	\$185.86

SECTION C – RATES FOR WATER CONSUMED

1. In addition to the fixed service charge set forth above, a charge will be made for all water used as registered by the meter.

	Gallons per Quarter	Rate per 1,000 Gallons
For the first	10,000	\$1.45
For the next	25,000	\$2.47
For all over	35,000	\$2.76

SECTION D

1. IRRIGATION CHARGES-POTABLE WATER

Customers with a separate meter for irrigation connected to a potable water distribution main shall pay a fixed service charge based on the size of each connection installed, in addition to the charges for the quantity of water used, if any.

Size of Connection	Fixed Service Charge per Quarter
3/4"	\$13.28
1"	\$26.55
1 -1/2"	\$39.80
2"	\$55.78
3"	\$94.84
4"	\$132.76
6" and Over	\$185.86

RATES FOR WATER USED

In addition to the fixed service charge set forth above, a charge will be made for all water used as registered by the meter.

	Gallons per Quarter	Rate per 1,000 Gallons
For the first	10,000	\$1.45
For the next	25,000	\$2.47
For all over	35,000	\$2.76

2. IRRIGATION CHARGES-NON POTABLE WATER MAIN

- a. Residential customers with a separate meter for irrigation, connected to a non-potable water main charges will be based only on the amount of water actually used. No fixed service charge and no connection fee. A rate of \$2.00 per 1,000 gallons will apply.
- b. Commercial customers with a separate meter for irrigation connected to a non-potable distribution main, charges will be based only on the amount of water actually used. No minimum service charge and no connection fee. A rate of \$2.73 per 1,000 gallons will apply.

In the event that any water meter shall become damaged or otherwise inoperable during any billing period, the bill for that billing period shall be based on an estimated use of water.

SECTION E – PRIVATE FIRE PROTECTION SERVICE

- 1. Annual stand-by water charges for sprinkler systems.

Size of Connection Inches	Annual Charge
Non-residential 2" or smaller*	\$168.56
3"	\$252.84
4"	\$337.12
6"	\$673.84
8"	\$1,348.48
10"	\$2,022.72
12"	\$2,675.00

Additional charge for each sprinkler head is \$1.00

*non-residential only; there will be no stand-by charge for residential fire connections 2" and smaller

2. The annual charge for each hydrant and/or Siamese connection shall be \$275.00
3. No charge shall be made for water used in the extinguishing of fires. Water for any other purpose shall not be drawn from a private fire service connection.
4. Fire protection shall be provided by separate connection to the Authority's mains.

SECTION F – PUBLIC FIRE PROTECTION SERVICE

1. The annual charge for each hydrant shall be \$275.00
2. No charge shall be made for water used in the extinguishing of fires.

SECTION G – MISCELLANEOUS

1. Turn on and turn off fees

A charge of \$75.00 shall be made for each turn-off or turn-on during regular working hours. Any turn-on or turn-of required outside regular working hours shall be charged at \$102.50 each unless both turn-on and turn-off are scheduled two days in advance no more than one hour apart. A minimum notice of seven (7) days for each turn-off and/or turn-on must be given to the Authority. Under no circumstances shall any person not authorized by the Authority open or close the curb stops or valves in any Authority water line.

2. Temporary Meters

The Authority reserves the right to install temporary meters during construction of any residential or commercial structure. The fee for installation of temporary meters shall be \$266.00.

3. Wet tap fees

Where the user requires connection to the water system after construction of mains has been completed and water service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction from the main to the curb, such construction to be performed by the Authority and/or an approved contractor. These costs shall be as follows:

When the tap is on the same side of the road as the service:

3/4"	\$1,494.35
1"	\$1,646.50
1-1/2"	\$2,637.32
2"	\$3,089.05

When the tap is on the opposite side of the road from the service:

3/4"	\$1,743.35
1"	\$1,941.00
1-1/2"	\$2,952.82
2"	\$3,623.55

The above fees are based on a 4 hours timeframe. If project goes over 4 hours then hourly rate of \$223.00 is applied. These fees includes meter pit and installation costs.

It is the applicant's responsibility to secure necessary road opening permit, to excavate, backfill and restore the excavated area according to MTMUA Rules and Regulations.

4. Hydrant Meter Rental

The use of water for building purposes, irrigation, or other construction, shall be metered at a hydrant to be determined by the Authority. At the time of application, the user shall pay submit a deposit for the meter as follows:

3/4" Meter	\$363.28
3"	\$871.86

In addition, there shall be a rental charge for the hydrant meter of \$43.60 per month or part thereof, payable monthly in advance. Each meter holder, by the 5th day of each month shall return the meter to the Authority for them to read. If the meter holder fails to provide a meter by the date specified then the meter will be confiscated and the deposit will be forfeited. The charge for water usage will be made on the basis of Section C hereof. The application for such water services shall be made by the owner of the property on which said water is to be used. The Authority shall have its statutory lien on such property for the collection of said charges.

5. Tampering, Illegal Connections & Theft of Services

In any case, where a water meter of the Monroe Township Municipal Utilities Authority has been adjusted, damaged, or tampered with, the customer on whose premises said meter is located shall be charged a cost recovery charge of \$266.00 , which shall be billed as part of his regular billing on the next regular billing date after said adjusting, tampering or damage shall have been discovered. Any person found tampering or unauthorized use of water by way of using of fitting known as "Jumper", "Spacer" or "Spreader" shall be billed a recovery charge plus water usage charge to be determined by the Authority.

6. Meter, Removal, Testing & Certification charges

If at the request of the customer, a meter is removed and bench tested and it is found to be accurate then the customer shall pay the cost of such testing as stated below. A deposit equal to test fee is required before any testing can be done. If the meter meets the utilities' standards, the deposit is used to cover the cost of testing. No charge if meter tests outside these standards, the deposit is returned to the customer.

Size of Meter	Test Fee
5/8 to 1 inch	\$150.00
1 1/2	\$250.00
2" and up	\$350.00

7. When the Authority performs a bacteriological test on new water lines, there shall be a fee of \$100.00 per test, payable in advance.

8. Winterization Fees

The work should be done by a licensed plumber bonded with the MUA. It is the responsibility of the customer/homeowner to protect the meter from freezing during cold and freezing weather. Fees for repairs due to damage resulting from freezing meters are the responsibility of the customer/homeowner. There will be a non refundable fee as follows:

Size (inches)	Fee
Up to 1	\$10.00

9. Returned Check Fee \$20.00

10. Access to the premises.

Upon presentation of badge or credentials, the authorized MUA employee shall be granted access to the meter at reasonable hours of the day to inspect the meter and perform other duties as may deem necessary. Any person, who may obstruct or oppose the Authority in making such inspection or other work relative to the water service, shall bear the cost of having a meter pit installed. If the cost of the installation remains unpaid, the Authority shall have its statutory lien on the property for the collection of said charges.

SECTION H – PAYMENT

1. All water fixed service charges are payable quarterly in advance and water usage charges shall be billed in the next quarter.
2. All charges shall be payable on or before the due date of the bill. Any charges which are not paid by the due date will be charged a penalty of one percent (1%) per month or fraction of a month, back to the billing date. Any partial payment of a bill will be applied first to interest charges, then to the oldest service charges.
3. Any non-residential account which remains unpaid after the due date will be sent a reminder; if the account is still unpaid at sixty (60) days after the due date, a notice will be sent giving fifteen (15) days to make payment or services will be discontinued. If payment is not received within fifteen (15) days water service will be discontinued.
4. All penalties are due and payable within thirty (30) days from the date that the Owner is notified in writing of the violations charged and the penalty to be imposed. In the event the penalty is not paid as required under these rules, then the Utility Department in its discretion may take all actions available to it for the non-payment of sewer charges as provided in N.J.S.A 40A:31-12. For purposes of these regulations, the Owner shall be responsible for the actions of any tenant using the sewer system.

The penalties imposed in this section shall be cumulative to other remedies afforded to the Utility Department by statute, as provided in N.J.S.A. 40A:13-14.

SECTION I – CONNECTION FEES AND CHARGES

1. The initial fees for the right to connect directly or indirectly to the Authority's water system shall include a connection charge or fee as well as fees for application review and inspection of work to be accomplished by the applicant in keeping with the requirements of the Authority's Rules and Regulations. These connection fees, which are one-time initial service charges for the right to connect to the Authority's water system, are calculated in accordance with NJSA 40: 31-11 and are an integral part of this Rate Schedule.
2. The potable water connection fee for each unit shall be **\$3,394** and the irrigation connection fee shall be \$0.00. Connection fees for single family homes not part of a real estate development are payable at the option of the applicant in two (2) installments with the initial installation paid prior to the time of the connection and the second payment due within one year. Interest shall accrue and be due to the Authority at 1% per month on the unpaid balance. In case the system is under construction but not yet available for connection, connection fees can be paid at the option of the applicant in two (2) installments without interest. In the case of real estate developers, the connection fees for the development shall be payable at the time of final approval.

In any development of more than ten (10) units but less than forty (40) units, connection fees for twenty five percent (25%) of the units shall be payable at the time of final approval with the balance of connection fees payable in advance of the building permit.

In any development of more than ten (10) units, connection fees for the first ten (10) units shall be payable at the time of final approval with the balance of connection fees payable in groups of ten (10) units at a time in advance of the building permit.

3. For a user other than residential with estimated potable water consumption in excess of **193** gallons per day and/or **570** gallons per day for irrigation, then the connection fee shall be based on the number of units as defined in Section A (2) above. Fractional number of units shall be calculated to the next highest unit.
4. The Authority reserves the right to examine plans for all connections and to specify the connection size required. The gallonage used to determine the size of the connection shall be based on estimated annual water consumption as calculated by the applicant's engineer and approved by the Authority Engineer.
5. Where a connection to the water system is to be made after construction of mains has been completed and water service is available to the user, then in addition to the connection fee, the applicant shall pay for the cost of construction and inspection from the main to the curb, such construction to be performed by an approved contractor and inspection by the MUA
6. No connection into the Authority's water system shall be made until compliance with the requirements set forth in this Section have been met, and no excavation shall be back-filled until inspection has been completed by the duly designated representative of the Authority.

SECTION J – FILING, REVIEW, AND INSPECTION FEES

Where mains are to be constructed by anyone other than the Authority, the application shall make application and pay fees for the time of Authority personnel on an hourly basis down against the deposit as listed below:

- a) Application for Review of Preliminary Plans:
Minor Subdivision Fee \$500.00

Major Subdivision or Major Site Plan-Deposit \$900.00 minimum
or \$ \$25.00 per unit whichever is greater.
- b) Application for Tentative Approval:
Review Fee – Deposit
1-1/2 % of estimated construction cost or \$450 minimum.
- c) Application for Final Approval:

Review Fee – Deposit
1-1/2 % of estimated construction cost

Inspection Fee – Deposit
5% of estimated construction cost

Applications for extensions of approval must be accompanied by a review fee deposit of \$500.00. Application for revisions after submittal and initial review must be accompanied by a review fee deposit of \$900.00.

If the deposit is depleted before completion of review or inspection, the applicant shall deposit an additional amount to complete the review or inspection as estimated by the Authority Engineer within five (5) days of notification or all review and inspection will cease at the end of the allotted five (5) days.

Any review fees for Preliminary Minor Applications is a flat fee and no portion will be returned to the applicant upon approval by the Utility Department.

Minor applications include any residential application which does not require extension of water and or sewer facilities (including service connection in the street) and which will not connect more than three houses to the water/sewer system. All commercial/industrial applications are

major applications; however, the Utility Department may charge the lower minor review fee to tenants in newly approved commercial buildings for individual tenant fit out.

Any deposit monies other than review fees for Preliminary Minor Application not used will be returned to the applicant upon request after the project is completed. The Authority will retain sufficient funds to conduct an inspection at the end of the maintenance period.

The amount charged by the Authority for review and/or inspection shall be calculated by the Authority's Auditor on an annual basis after the adoption of the Authority's budget for the upcoming fiscal year, and shall be based on the hourly salary cost to the Authority plus the cost of fringe benefits payable to said individual and the cost of the overhead of the Authority allocable to that employee.

SECTION K – RATES CHARGED TO CUSTOMERS SERVICED BY OTHER ENTITIES

Rates charged to customers who are serviced by other entities through contract between the Monroe Township Municipal Utilities Authority and that entity shall be at that rate which is set forth in the contract with the entity, plus a twenty-five percent administrative cost.

SECTION L - RESERVATION, RIGHT TO MODIFY

The Township of Monroe reserve the rights to modify or change any of the foregoing rules or make such addition, by rules and regulation, as maybe found essential in the protection of the public interests and the management of the Department and to impose such additional restrictions as may be deemed necessary.

If any of the above regulations is declared or held to be unconstitutional or legally inoperative, no other portion of this regulation shall be affected, but the unconstitutional or inoperative provision shall be rescinded and remaining provisions of this regulation shall remain in effect.

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.

SO ORDAINED, as aforesaid.

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

There was no further discussion of this Ordinance.

As Councilwoman Koppel and Councilman Leibowitz regularly moved the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, CHAPTER 39 ENTITLED "FEES".**

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

Copy of Ordinance Duly Filed.
O-12-2012-039

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: **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, CHAPTER 77 ENTITLED "PEDDLING AND SOLICITING".**

ORDINANCE as follows: (O-12-2012-040)

BE IT ORDAINED by the Council of the Township of Monroe, County of Middlesex, and State of New Jersey, that Chapter 77 of the Code of the Township of Monroe is hereby amended as follows:

SECTION 1.

- § 77-1. Legislative intent.
- § 77-2. Definitions.
- § 77-3. Solicitation Permit Required.
- § 77-4. Contents of Application.
- § 77-5. Investigation of Applicant.
- § 77-6. Denial.
- § 77-7. Issuance of Permit; Transferability; Expiration.
- § 77-8. Revocation of permit; hearing.
- § 77-9. Appeal from Denial or Revocation of Certificate.
- § 77-10. Restrictions.
- § 77-11. Exemptions.
- § 77-12. Violations and penalties.

§ 77-1. Legislative intent.

This Chapter is adopted with the intent to regulate the distribution of advertisements, peddling, soliciting, and related activities within the Township of Monroe; and the registration of persons engaged in such activities is necessary so that the identity of persons going from door to door to distribute advertisements or sell merchandise within the municipality may be established, so that general regulations may be more effectively enforced for the protection and maintenance, health, safety and welfare of the inhabitants of the township and to prevent dishonest business practices and dishonest solicitation of funds.

§ 77-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DISTRIBUTOR – Any person who distributes or causes to be distributed on any street or public place within the township any advertisements, such as newspapers, periodicals, books, magazines, handbills, circulars, cards, pamphlets or printed material of any kind which are distributed for the purpose of selling or delivering merchandise to customers.

MERCHANDISE – All goods, wares, food, meat, fish, ice cream, fruit, vegetables, magazines, periodicals, printed advertisements, farm products, services and orders or contracts for services, home improvements or alterations and anything that may be sold or distributed by peddlers, solicitors or distributors, as defined herein.

PEDDLER – Any person, whether a resident of the township or not, who goes from house to house, from place to place or from street to street, traveling by foot, automotive vehicle or any other type of conveyance and carrying or transporting merchandise for the purpose of selling and delivering the merchandise to customers. The word “peddler” shall also include the words “hawker” and “huckster”.

PERSON – Any individual, firm, partnership, corporation, organization, club, association or any principal or agent thereof.

SOLICITOR – Any person, whether a resident of the township or not, who goes from house to house, from place to place or from street to street, traveling by foot, automotive vehicle or any other type of conveyance and soliciting, taking or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not such individual has, carries or exposes for sale a sample of the merchandise or services and whether or not he is collecting advance payments on such sales or orders, or who engages in any of the foregoing activities from a stationary location on any street or other public place. The word “solicitor” shall also include the word “canvasser” or any person who goes from door to door, as described above, for the purpose of soliciting and/or who collects funds from a stationary location on any street or other public place.

TRANSIENT MERCHANT – Any person engaging in the activities commonly referred to as “transient merchant” or “itinerant vendor,” who merchandises or sells with the intent to close out or discontinues such business within a period of one (1) year from the date of commencement and who occupies a room, building, tent, lot or other premises for the purpose of selling merchandise.

§ 77-3. Solicitation Permit Required.

It shall be unlawful for any peddler, solicitor, distributor or transient merchant to sell, offer for sale or distribute merchandise, printed advertisements or services within the township without first applying for and being granted a solicitation permit from the Township of Monroe.

§ 77-4. Contents of Application.

- A.** Any person seeking to engage in solicitation with the Township of Monroe shall apply to the Township Clerk for a solicitation permit.
- B.** An applicant for a solicitation permit shall be required to provide the following information in writing:
 - i. The name of each individual who will engage in solicitation within the Township of Monroe;
 - ii. The present address of each individual who will engage in solicitation within the Township of Monroe;
 - iii. As to each such individual, whether the individual has ever been arrested or convicted of a crime, offense or violation and if so, the nature of the conviction, where convicted, the date of conviction, and the penalty imposed;
 - iv. The employer or organization for which solicitation will be made;
 - v. The address of the employer or organization;
 - vi. The telephone number of the employer or organization;

- vii. The name of a contact person at the offices of the employer or organization;
 - viii. The type of goods or services to be sold, or the type of survey or research to be conducted;
 - ix. As to any vehicle to be used by the applicant, the make, model, year, color and license plate information of the vehicle or vehicles;
 - x. The expected dates of solicitation within the Township of Monroe;
 - xi. The names of other municipalities in New Jersey where the applicant has been issued and or "denied" a permit to solicit or peddle in the past two years; and
 - xii. If the applicant intends to go from house to house or place to place, the application shall be accompanied with two (2) passport-size photographs for each person on the application.
- (2)
- C.** An applicant for a solicitation permit shall also be required to produce photo identification, which the Township Clerk will photocopy and attach to the application form.
 - D.** The application form shall be signed by the applicant, under penalty or perjury.
 - E.** Application forms, including photographic identification, shall be retained by the Township Clerk.
 - F.** Misrepresentation, false statements, or failure to disclose information on the solicitation permit application form shall constitute a violation of this Chapter.
 - G.** The application must be completed in a clear and legible manner to avoid prolonging the process.

§ 77-5. Investigation of Applicant.

Once the application has been submitted to the Township Clerk, it will then be forwarded to the Chief of Police with all accompanying information. The Chief of Police or designee shall perform a background check of the applicant(s) and investigate the information submitted as to the good moral character of the applicant(s) and approve or deny the application within fourteen (14) business days.

§ 77-6. Denial.

If the application is denied, the Chief of Police shall set forth in writing his reasons therefor which statement or reasons shall be submitted to the applicant.

§ 77-7. Issuance of Permit; Transferability; Expiration.

A permit shall be issued to all approved applicants. The permit shall be signed by the Township Clerk. A separate badge shall be issued to each individual who engages in solicitation within the Township.

- A.** Upon approval by the Police Department and payment of Fees with the Township Clerk as set forth in The Township Code, Chapter 39-3:B (6) the Township Clerk shall issue to the applicant a permit and individual badges for each individual submitted on the application. The Badge shall contain the Name of the individual, photo, the Name of the Company or Organization, the purpose for which the permit was issued, the date of issuance and date of expiration.

- B. Every individual licensed pursuant to the provisions of this section shall display the Badge at all times while engaged in the Peddling and Soliciting process while in the Township. Every licensee shall produce the Badge at the request of any Police Officer of the Township or Resident.
- C. All licenses and badges shall be valid for the requested time period as stated on their license, but not to exceed the current calendar year ending 12/31/XX.
- D. No license or badge is transferrable or assignable to any other individual.
- E. All licenses and badges must be surrendered at expiration and/or the end of the calendar year, whichever comes first.

§ 77-8. Revocation of permit; hearing.

- A. Permit issued under the provisions of this chapter may be revoked by the Township Clerk and/or Police Department after notice and hearing for any of the following causes:
 - (1) Fraud, misrepresentation or a material incorrect statement contained in the application of a permit.
 - (2) Fraud, misrepresentation or a material incorrect statement made in the course of carrying on his business as solicitor, peddler, distributor or transient merchant.
 - (3) Any violation of this chapter.
 - (4) Conviction of any crime or misdemeanor.
 - (5) Conducting the business of peddler, solicitor, distributor or transient merchant in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of the hearing for revocation of a permit shall be given by the Township Clerk in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the holder of the permit at the address given on the application at least five (5) days prior to the date set for the hearing or shall be delivered by the agent to the township in the same manner as a summons at least three (3) days prior to the date set for the hearing.
- C. Upon revocation the permit and all Badges shall be surrendered to the Township Clerk.

§ 77-9. Appeal from Denial or Revocation of Certificate

Any person aggrieved by the denial or revocation of a license, as provided in this chapter, shall have the right of appeal to the Township Council. Such application shall be taken by filing with the Township Council, within fourteen (14) days after the notice of the action complained of has been mailed to such person's last known address. The appeal to the Township Council must include a written statement setting forth fully the grounds for the appeal. The Township Council shall set a time and place for hearing on such appeal. The Township Clerk shall provide notice of the hearing. Such notice shall be mailed, postage prepaid, to the applicant at the address given on the application at least five (5) days prior to the date set for the hearing. The decision of the Township Council on such appeal shall be final and conclusive.

§ 77-10. Restrictions.

No person or permit/badge holder shall:

- A. Peddle, solicit or distribute merchandise except between the hours of 8:00 a.m. and 9:00 p.m., unless specifically having been invited into a house by the occupant or having made an appointment with a person previously.
- B. Attempt to peddle, solicit or distribute merchandise or printed advertisements without first having identified himself as a peddler, solicitor or distributor registered with the township and displaying his badge.
- C. Have exclusive right to any location in the public streets or operate in any congested area where his operations impede or inconvenience the public.
- D. Leave at a property or house or in any public place circulars, samples or other matter, except newspapers, which shall be defined as a periodical with a paid circulation of at least ninety percent (90%) of its total circulation, except when handed to a person or house occupant.
- E. Enter or attempt to enter the land of any resident of the township without an express invitation from the occupant of the house.
- F. Conduct him/her in such a manner as to become objectionable to or annoy an occupant of any house.
- G. Shout, cry out, blow a horn, ring a bell or use any sound making or amplifying device upon any of the streets, parks or public places of the township or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, parks or other public place of the township upon private premises for the purpose of attracting attention to any merchandise or services.
- H. Distribute obscene merchandise or printed material or that which advocates unlawful conduct.
- I. Litter the streets, public places or properties within the township with any merchandise or printed material.

§ 77-11. Exemptions.

The following persons or organizations are exempt from the payment of a fee and, in the discretion of the Chief of Police, the application and/or investigation procedures, upon compliance with all other provisions of this chapter and submission of applicable identification and documents to support the claim to exemption.

- A. Any charitable or religious society that shall conduct sales of personal property when the proceeds thereof shall be applied to the payment of the expenses thereof and to the charitable or religious object for which the society exists.
- B. Any person honorably discharged from the military services of the United States, possessing a peddler's license issued in conformity with N.J.S.A. 45:24-9 and 24-10.
- C. Any person who is an exempt fireman of a volunteer fire department as defined in N.J.S.A. 45:24-9 and 24-10, possessing a license in conformity with said law.
- D. Any public utility, or its employees, which is subject to regulation by the State Board of Public Utility Commissioners; provided, however, that such employees shall display the identification badge or card issued by their employer.
- E. Any person selling fruits and farm products grown by himself, with or without the help of others.

- F. Any person engaged in the delivery of goods, wares or merchandise or other articles or things in the regular course of business to the premises of persons who had previously ordered the same or were entitled to receive the same by reason of a prior agreement.
- G. Any school, political or civic organization, benevolent society, service club or organization not for profit which is located in or has a substantial membership from the township.

§ 77-12. Violations and penalties.

Any person who violates or fails or neglects to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine or penalty of not more than five hundred dollars (\$500.00) or imprisonment for a term of not to exceed ninety (90) days, or both, in the discretion of the court. Each and every time a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable by a like fine or penalty.

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.

SO ORDAINED, as aforesaid.

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

Councilman Leibowitz commented that recently he encountered someone soliciting at his door. He had a Xerox copy of a permit, but is now glad that an original copy of a permit must be presented.

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: **ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX, CHAPTER 77 ENTITLED "PEDDLING AND SOLICITING"**.

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

Copy of Ordinance Duly Filed.
O-12-2012-040

UPON MOTION made by Councilman Leibowitz and seconded by Councilwoman Koppel, an Ordinance of which the following is the title was moved on second reading for final passage: **ORDINANCE AMENDING THE 2011 – 2014 SUPERVISORY SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE.**

ORDINANCE as follows: (O-12-2012-041)

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

SECTION 1. The annual salary and wage increases shown in the 2011 – 2014 Supervisory Salary and Wage Ordinance of the Township of Monroe shall be amended to reflect no salary increases for Calendar Year 2013 and a 10% salary reduction for Mayor and Council.

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.

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

Council President Tamburro explained that the Mayor and Council are taking a 10% cut in salary and supervisory/non-union employee's salaries are frozen.

As Councilman Leibowitz and Councilwoman Koppel regularly moved and seconded the adoption, an Ordinance of which the following is the title was passed on Second Reading and Final Adoption: **ORDINANCE AMENDING THE 2011 – 2014 SUPERVISORY SALARY AND WAGE ORDINANCE FOR THE TOWNSHIP OF MONROE.**

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

Copy of Ordinance Duly Filed.
O-12-2012-041

Council President Tamburro asked that the members of Council review the Resolutions listed under the Consent Agenda and will be happy to address any questions. He further pointed out that Resolution #10.o. waives the passage and effective date of the various Ordinances moved for adoption this evening.

Administrator Hamilton explained that this allows the payroll department to implement the corrected salaries and wages and frozen salaries and wages effective the 1st of the year.

There were no questions on the Resolutions from Council or the Public.

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

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

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

- R-12-2012-369 RESOLUTION REFUNDING TAX OVERPAYMENTS.
- R-12-2012-370 RESOLUTION REFUNDING THIRD PARTY TAX LIEN PREMIUM PAYMENTS.
- R-12-2012-371 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO JOEL L. SHAIN, ESQUIRE WITH THE FIRM OF SHAIN, SCHAFFER & RAFANELLO, P.C. FOR GENERAL LEGAL SERVICES WITHIN THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-372 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MARGUERITE M. SCHAFFER WITH THE FIRM OF SHAIN, SCHAFFER & RAFANELLO, P.C. AS ASSISTANT TOWNSHIP ATTORNEY WITHIN THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-373 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO ERNEST FEIST WITH THE FIRM OF FEIST ENGINEERING, INC. FOR GENERAL ENGINEERING SERVICES WITHIN THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-374 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO FEIST ENGINEERING, INC. FOR MAINTENANCE OF TAX MAPS FOR THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-375 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO HODULIK AND MORRISON, P.A. AS MUNICIPAL AUDITORS FOR THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-376 RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO RICHARD W. BENTZ, AS CERTIFIED TREE EXPERT FOR CY 2013.
- R-12-2012-377 RESOLUTION REFUNDING THE THIRD-PARTY TAX LIEN PREMIUM PAYMENTS FOR BLOCK 27.2, LOT 29 AND AUTHORIZING CANCELLATION OF THE TAX SALE CERTIFICATES.
- R-12-2012-378 RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES POSTED FOR CLEARVIEW ESTATES.
- R-12-2012-379 RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE GUARANTEES POSTED WITH THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR CLEARVIEW ESTATES, W&S 988, BLOCK 35, LOTS 27 & 28 (PB-1029-06).
- R-12-2012-380 RESOLUTION AUTHORIZING THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") TO PREPARE SPECIFICATIONS AND ADVERTISE FOR RECEIPT OF BIDS FOR VARIOUS GOODS AND SERVICES.
- R-12-2012-381 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT NO. 400 "PUMP STATION AND WELL REPAIR SERVICES" AWARDED TO LONGO ELECTRICAL-MECHANICAL, INC. FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.").
- R-12-2012-382 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO GOVERNMENTAL RISK MANAGEMENT ASSOCIATES, INC. FOR INSURANCE CONSULTING & PRODUCER SERVICES FOR CY 2013.
- R-12-2012-383 RESOLUTION WAIVING THE TIME PERIODS BETWEEN THE PASSAGE DATE AND THE EFFECTIVE DATE OF VARIOUS ORDINANCES OF THE TOWNSHIP OF MONROE.

- R-12-2012-384 RESOLUTION AUTHORIZING MODIFICATION TO A CONTRACT AWARDED TO BARNICKEL ENGINEERING CORPORATION FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF THE NEW SENIOR CENTER.
- R-12-2012-385 RESOLUTION AUTHORIZING THE SUBORDINATION OF AFFORDABLE HOUSING LIEN ON 12 EVERGREEN TERRACE.
- R-12-2012-386 RESOLUTION AUTHORIZING PAYMENT OF ADDITIONAL FEES TO SHAIN, SCHAFFER & RAFANELLO, P.C. RELATED TO REPRESENTATION OF THE TOWNSHIP IN VARIOUS MATTERS OF EXTRAORDINARY LITIGATION.
- R-12-2012-387 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO WILENTZ, GOLDMAN & SPITZER, P.A. AS BOND COUNSEL FOR THE TOWNSHIP OF MONROE FOR CY 2013.
- R-12-2012-388 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO TIMOTHY HOFFMAN REAL ESTATE APPRAISERS, INC. FOR RESIDENTIAL AND COMMERCIAL PROPERTY REAL ESTATE APPRAISAL SERVICES FOR CALENDAR YEAR 2013.
- R-12-2012-389 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO GAGLIANO APPRAISAL, LLC FOR RESIDENTIAL AND COMMERCIAL PROPERTY REAL ESTATE APPRAISAL SERVICES FOR CALENDAR YEAR 2013.
- R-12-2012-390 RESOLUTION AUTHORIZING BUDGET TRANSFERS.
- R-12-2012-391 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO MCR APPRAISALS FOR RESIDENTIAL PROPERTY REAL ESTATE APPRAISAL SERVICES FOR CALENDAR YEAR 2013.
- R-12-2012-392 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO BETTINA DURMASKIN SHOLK REAL ESTATE APPRAISAL SERVICES FOR FARMLAND PROPERTY REAL ESTATE APPRAISAL SERVICES FOR CALENDAR YEAR 2013.
- R-12-2012-393 RESOLUTION GRANTING ADVICE AND CONSENT TO THE REAPPOINTMENT OF MEMBERS TO THE AFFORDABLE HOUSING BOARD.
- R-12-2012-394 RESOLUTION GRANTING ADVICE AND CONSENT TO THE REAPPOINTMENT OF MEMBERS TO THE PUBLIC OFFICERS BOARD.
- R-12-2012-395 RESOLUTION GRANTING ADVICE AND CONSENT TO THE REAPPOINTMENT OF MEMBER TO THE AFFORDABLE HOUSING BOARD.
- R-12-2012-396 RESOLUTION GRANTING ADVICE AND CONSENT TO THE REAPPOINTMENT OF MEMBER TO THE LIBRARY BOARD OF TRUSTEES.
- R-12-2012-397 RESOLUTION APPROVING THE SELECTION OF QUALIFIED FIRMS TO PERFORM VARIOUS PROFESSIONAL SERVICES FOR THE MONROE TOWNSHIP UTILITY DEPARTMENT ("M.T.U.D.") FOR CALENDAR YEAR 2013.
- R-12-2012-398 RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF THOMAS P. ABODE, ESQ. AS ACTING MUNICIPAL PUBLIC DEFENDER FOR THE TOWNSHIP OF MONROE.

- R-12-2012-399** RESOLUTION GRANTING ADVICE AND CONSENT TO THE RE-APPOINTMENT OF FRANK J. GUMINA, ESQ. AS MUNICIPAL PUBLIC DEFENDER FOR THE TOWNSHIP OF MONROE.
- R-12-2012-400** RESOLUTION APPROVING AN EMERGENCY CONTRACT WITH PLEASANT VIEW LANDSCAPING AND MAINTENANCE INC. FOR TREE REMOVAL & CLEAN UP SERVICES RELATED TO THE AFTERMATH OF HURRICANE SANDY.
- R-12-2012-401** RESOLUTION GRANTING ADVICE AND CONSENT TO THE RE-APPOINTMENT OF MARGUERITE M. SCHAFFER, ESQ. AS ASSISTANT TOWNSHIP ATTORNEY FOR THE TOWNSHIP OF MONROE.
- R-12-2012-402** RESOLUTION CANCELING GENERAL CAPITAL IMPROVEMENT APPROPRIATION BALANCES.
- R-12-2012-403** RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR HEALTHCARE INSURANCE WITH AETNA FOR CALENDAR YEAR 2013.
- R-12-2012-404** RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR DENTAL INSURANCE WITH DELTA DENTAL OF NEW JERSEY, INC. FOR CALENDAR YEAR 2013.

UPON MOTION made by Councilman Dalina and seconded by Councilwoman Koppel, the Special Meeting was Adjourned and the regularly scheduled Agenda Meeting was Called to Order at 7:05pm.

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

Council President Tamburro requested the following entitled **RESOLUTIONS** for **CONSIDERATION** at the **WEDNESDAY, JANUARY 12, 2013** Regular Council Meeting be reviewed and will be happy to address any questions:

- a. **RESOLUTION DESIGNATING THE SCHEDULE OF PUBLIC MEETINGS OF THE MONROE TOWNSHIP COUNCIL FOR CALENDAR YEAR 2013.** (Regular Meetings to be held the 1st Monday of each month at 7:00 p.m., Agenda Meetings to be held the last Monday of each month at 7:00 p.m. Should any such day fall on a legal Holiday, or for any other good cause, the meeting will be held at the same time and place on the next Wednesday. The Regular Council Meetings in June and November will be held on the Wednesday immediately following the June Primary and November General Elections)
- b. **RESOLUTION DESIGNATING OFFICIAL TOWNSHIP NEWSPAPERS FOR CALENDAR YEAR 2013.**
- c. **RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS MATERIALS AND SERVICES THROUGH THE NEW JERSEY STATE COOPERATIVE PURCHASING PROGRAM FOR THE YEAR 2013 WITH EXTENSIONS & ADDENDUMS.**
- d. **RESOLUTION AUTHORIZING THE TAX COLLECTOR TO HOLD TAX SALES DURING CALENDAR YEAR 2013.**
- e. **RESOLUTION APPROVING THE 2013 CASH MANAGEMENT PLAN.**

- f. **RESOLUTION APPROVING THE EXTENSION OF THE INTRODUCTION AND APPROVAL OF THE MONROE TOWNSHIP 2013 ANNUAL BUDGET TO FEBRUARY 4, 2013.**
- g. **RESOLUTION AUTHORIZING THE 2013 TEMPORARY BUDGET APPROPRIATIONS.**

Mayor – Wished everyone a Happy New Year and is looking forward to a very good year.

Administrator – Updated everyone on the Senior Center. He expects the temporary certificate of occupancy by the middle of January with a move in right afterwards and a dedication in March.

Engineer – Wished everyone a Happy & Healthy New Year.

Council:

Councilman Leibowitz – Wished everyone a Happy New Year.

Councilman Dalina – Happy & Healthy New Year.

Councilwoman Koppel – mentioned on Saturday there will be a Dodge Ball Tournament at the Recreation Center and it will be a fundraiser for the Make-A-Wish Foundation.

Vice-President Miller – mentioned that on Sunday he and the Mayor will be honoring Morris Glass on his 100th Birthday. Also, a Happy New Year to All.

Council President Tamburro – mentioned that tomorrow the Recreation Department will hold “Grandparents Day” which includes a family picture, lunch, a school bus ride & movie. It is sponsored by the Gardens. He also wished everyone a Happy & Healthy New Year.

Public:

Helga Kelly – 319 Greenleaf, Encore wished everyone a Happy New Year.

UPON MOTION made by Councilman Dalina and seconded by Councilman Leibowitz, the meeting was Adjourned at 7:13pm.

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

SHARON DOERFLER, Township Clerk

GERALD W. TAMBURRO, Council President

Minutes were adopted on _____