

**NORTH BRUNSWICK TOWNSHIP
SPECIAL COUNCIL MEETING**

June 15, 2015

- 1. Call to Order, Roll Call & Cell Phone Statement**
- 2. Devices for the hearing impaired are available in the cable studio**
- 3. Sunshine Notice**
- 4. Pledge of Allegiance**
- 5. Proclamation:**
- 6. Consent Agenda:**
 - a. Authorizing the redemption of various third party liens _____ 192-6.15**
 - b. Approving Preliminary Tax Levy for Fiscal Year 2016 _____ 193-6.15**
 - c. Canceling \$2000,000 balance from Sewer Utility Operating Fund "Other Expense"
appropriation _____ 194-6.15**
 - d. Authorizing the execution of a Municipal Shared Services Defense Agreement in pursuit
of an Affordable Housing Fair Share Analysis _____ 195-6.15**
 - e. Payment of Bills _____ 196-6.15**
- 7. Approval of minutes: Regular Council Meeting / May 18, 2015**
- 8. Reports from Mayor, Council, Administrator, CFO**
- 9. Public Hearing**
- 10. Adjourn**

RESOLUTION NO. 192-6.15

RESOLUTION AUTHORIZING THE REDEMPTION OF VARIOUS THIRD PARTY LIENS

WHEREAS, the Township of North Brunswick has received the amount necessary to redeem certain liens held by third parties; and

WHEREAS, the liens that have been redeemed as certified by the Tax Collector are on the list that is attached and a part of this resolution;

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey that the Treasurer and Tax Collector are hereby authorized and directed to send payment for redemption and premiums, if applicable, to the lien holders stated on the attached list, once the tax sale certificate, endorsed for cancellation, has been received.

Laurie K. Hammarstrom
Laurie K. Hammarstrom
Tax Collector

Kala Sriranganathan
Kala Sriranganathan
Chief Financial Officer

Robert Lombard
Robert Lombard
Township Administrator

Ronald Gordon, Esq.
Ronald Gordon, Esq.
Township Attorney
Certified as to Form

ROLL CALL

NAME	YES	NO	ABSTAIN	
Ms. Narra	✓			
Ms. Nicola 2	✓			
Mr. Corbin	✓			
Mr. Davis 1	✓			
Mr. Socio	✓			
Mr. Andrews	A			
Mayor Womack				

I hereby certify the foregoing to be a true copy of a resolution adopted by the North Brunswick Township Council at a meeting held on June 15, 2015.

Lisa Russo
Lisa Russo
Municipal Clerk

c: *L. Hammarstrom*
K. Sriranganathan

Lien Holder	Redemption Amount	Certificate #	Block / Lot
TTLBL, LLC 4747 Executive Dr, Suite 510 San Diego CA 92121 Property Location:	\$ 9,790.19 708 Nassau Street	14-00120	190/4
TTLBL, LLC 4747 Executive Dr, Suite 510 San Diego CA 92121 Property Location:	\$ 15,000.00** 708 Nassau Street	14-00120	190/4
Complete Financial Service 75 West Shore Dr., Unit 2 Port Washington, NY 11050 Property Location:	\$ 2,460.74 894 Patton Street	14-00088	140/27
Complete Financial Service 75 West Shore Dr., Unit 2 Port Washington, NY 11050 Property Location:	\$ 1,800.00** 894 Patton Street	14-00088	140/27
Complete Financial Service 75 West Shore Dr., Unit 2 Port Washington, NY 11050 Property Location:	\$ 507.50 471 Northam Drive	14-00032	4.44/1.4534
Complete Financial Service 75 West Shore Dr., Unit 2 Port Washington, NY 11050 Property Location:	\$ 100.00** 471 Northam Drive	14-00032	4.44/1.4534
Deach, LLC c/o AJ Hollander Enterprises 335 Central Avenue Lawrence NY 11559 Property Location:	\$ 30,549.61 4305 North Oaks Blvd	12-00061	140.01/8.106
Deach, LLC c/o AJ Hollander Enterprises 335 Central Avenue Lawrence NY 11559 Property Location:	\$ 1176.00*** 4305 North Oaks Blvd	12-00061	140.01/8.106
Deach, LLC c/o AJ Hollander Enterprises 335 Central Avenue Lawrence NY 11559 Property Location:	\$ 9,600.00** 4305 North Oaks Blvd	12-00061	140.01/8.106
Carl D Gensib, Esq. 850-870 Route 1 North North Brunswick NJ 08902 Property Location:	\$ 5,558.74**** 4305 North Oaks Blvd	12-00061	140.01/8.106

Complete Financial Service 75 West Shore Dr, Unit 2 Port Washington, NY 11050 Property Location:	\$ 6,849.13 Yorke Road	14-00083	135/39
Complete Financial Service 75 West Shore Dr, Unit 2 Port Washington, NY 11050 Property Location:	\$ 3,400.00** Yorke Road	14-00083	135/39
US Bk Cust Actlien Holding Inc 50 So 16 th St, Suite 2050 Philadelphia PA 19102 Property Location:	\$ 19,999.85 1553 Ruth Road	13-00018	7/6.0102
US Bk Cust Actlien Holding Inc 50 So 16 th St, Suite 2050 Philadelphia PA 19102 Property Location:	\$ 8,500.00** 1553 Ruth Road	13-00018	7/6.0102
MTAG Serv. As Cust/ATCF II NJ PO Box 54292 New Orleans, LA 70154-4292 Property Location:	\$ 28,947.18 4304 North Oaks Blvd	12-00060	140.01/8.105
MTAG Serv. As Cust/ATCF II NJ PO Box 54292 New Orleans, LA 70154-4292 Property Location:	\$ 11,100.00** 4304 North Oaks Blvd	12-00060	140.01/8.105

**Premium paid at Tax Sale

***Legal Fees

****Overage paid on lien redemption

193-6.15

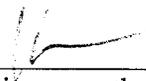
**A RESOLUTION APPROVING
PRELIMINARY MUNICIPAL TAX LEVY
FOR THE FISCAL YEAR 2016**

WHEREAS, the New Jersey Division of Local Government Services has revised the method of calculating the Local Municipal Tax Rate for Municipalities operating in a fiscal year basis ending June 30; and

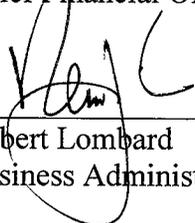
WHEREAS, this revised procedure provides for the calculation of a Preliminary Municipal Tax Levy on the basis of a calendar year requirement as per the form attached hereto.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey that the attached Certification of Preliminary Fiscal Year Tax Levies is hereby approved reflecting a Preliminary Tax Levy of \$28,929,745.64 and the Library Levy \$1,480,011.42.

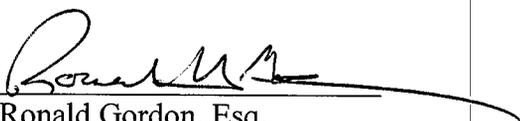
BE IT FURTHER RESOLVED that certified copies of this resolution be filed with the New Jersey Division of Local Government Services and with the Middlesex County Board of Taxation.



Kala Sriranganathan
Chief Financial Officer



Robert Lombard
Business Administrator



Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

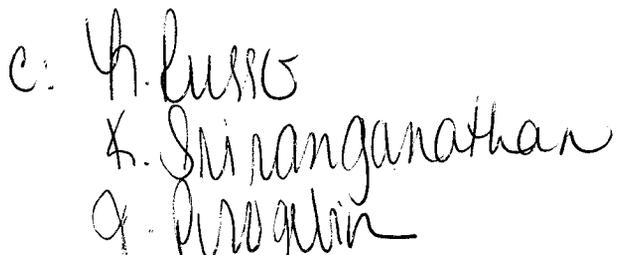
RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA	✓			
ANDREWS	A			
CORBIN	✓			
DAVIS 1	✓			
SOCIO	✓			
NICOLA 2	✓			
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on June 15, 2015.



Lisa Russo
Township Clerk

c: 

**CERTIFICATION OF PRELIMINARY STATE FISCAL YEAR TAX LEVIES
2015 3rd and 4th quarters**

Municipal Portion			Non-Municipal Portion	
	Formula	Amount	Taxing District	Estimated Levy 3rd & 4th quarter
Current Year 1 & 2 Levy		14,381,264.14	Library	740,005.71
Adjustment			School	
Net Current Year 1 & 2 Levy	A	14,381,264.14	County	
			County Open Space	
Projected New FY Levy	B	29,096,963.00	Municipal Open Space	368,557.59
			Total	1,108,563.30
Preliminary Levy	C= (B/2)+A	28,929,745.64		
BPP Adjustment				
Adjusted Preliminary Levy	C	28,929,745.64		
Levy for 3 & 4	D=C-A	14,548,481.50		
Net Valuation Taxable	E	2,457,050,620.00		
3 & 4 rate -Municipal		1.177		
Total Municipal Levy		14,548,481.50		

Certification

Signature

Certification No Date

Chief Financial Officer:

Tax Collector:

Municipal Clerk:

N0774

Laurie K. Hammarstone 1211 6/12/15

Chad Russo C1230 6/15/15

FY2016 Levy Summary

1. Levy

The preparation of the FY2016 Budget has again been comparatively straightforward with an on-going consensus between the Mayor and Department Directors to suppress any increases in appropriations, while trying to maximize revenues within each Director's department. The Draft FY2016 Budget will be presented to the Governing Body for review in July. In Draft it is in compliance with the State's Budget Appropriation Cap and Levy Cap. It contemplates a tax levy of \$29,096,963, a \$404,591 or 2.0% increase in the calendar levy from prior calendar year.

2. Revenue

While we are still awaiting some final revenues from the Municipal Court and payment-in-lieu-of-taxes from the NJEDA for the Tech Center, I am pleased to report that the Township is anticipated to complete its fiscal year 2015 on June 30th with no over-expenditures of budget appropriations and overall revenues slightly exceeding our anticipated revenues. The gap between our anticipated revenue and actual revenues is narrowing, as we try to realistically anticipate as much non-tax levy revenue as is possible, and thereby minimize our reliance on any increases to the tax levy.

3. Appropriations

Total projected appropriations, excluding grants, for FY2016 is \$188,206 lower than FY2015 at this time last year, a decrease of .4%. This modest change reflects our continuing effort to control spending to meet the decline in revenues. In the proposed appropriations for FY2016, we continue to see a beneficial impact of health and pension benefit reform. With both of these respective appropriations traditionally comprising the highest rate of increase annually, these costs are now slowing in their rate of increase. Nevertheless, the appropriations for health care still represent a major component of increased appropriation in this budget year and are projected to remain so into the future. Secondly, while these costs are now below 10% annually, versus their former 20% range for PFRS (police pensions), these costs will still be above, and exempt from, the 2% levy cap, making it difficult to keep tax rate increases below 2% annually. Overall, the Township's FY2016 budget maintains service levels.

Salaries

The projected total salary and wage budget has an increase of 1.45%, or \$265,865 from the prior fiscal year. The current full-time budgeted workforce is 203, an increase of 3 full-time positions from FY2015.

FY2003			14,475,000
FY2004	3.75%	\$550,000	15,025,000
FY2005	4.20%	\$630,000	15,655,000
FY2006	5.90%	\$923,100	16,578,100
FY2007	4.60%	\$766,383	17,344,483
FY2008	4.40%	\$504,148	17,848,631
FY2009	0.32%	\$348,507	18,197,138
FY2010	-3.89%	-\$707,790	17,534,994
FY2011	-1.2%	-\$202,000	17,287,000
FY2012	0.7%	\$133,729	17,416,130
FY2013	0.2%	\$ 38,941	17,455,071
FY2014	1.2%	\$203,392	17,658,463
FY2015	3.87%	\$684,704	18,378,986
FY2016	1.45%	\$265,865	18,644,851

Debt Service

In the FY2016 budget we continue the decline in annual Debt Service payments from a high of \$8.2 million appropriated in FY2009 to a projected \$5,837,285. Budget appropriations for debt service is expected to decline slightly for future fiscal years, barring any change in our annual capital budget.

**RESOLUTION CANCELING \$200,000 BALANCE
FROM SEWER UTILITY OPERATING FUND
"OTHER EXPENSE" APPROPRIATION**

WHEREAS, there exists a \$200,000 unencumbered balance in the Sewer Utility Operating Fund Budget for "Other Expenses" that is no longer required for its original purpose; and

WHEREAS, it is the desire of the Township Council of the Township of North Brunswick to cancel said \$200,000 appropriation to the Sewer Utility Operating Fund, Fund Balance.

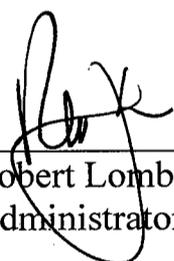
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick, New Jersey, that the \$200,000 of Sewer Utility Operating Fund Appropriation for "Other Expenses" is hereby canceled and transferred into Sewer Utility Operating Fund, Fund Balance.



Kala Sriranganathan
Chief Financial Officer



Ronald Gordon, Esq.
Township Attorney



Robert Lombard
Administrator

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Council of the Township of North Brunswick at a meeting held on June 15, 2015.



Lisa Russo
Municipal Clerk




195-6.15

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT
IN PURSUIT OF AN AFFORDABLE HOUSING FAIR SHARE ANALYSIS**

WHEREAS, the Township of North Brunswick has filed or anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey Middlesex County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"); and

WHEREAS, Fair Share Housing Center ("FSHC"), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the "FSHC Numbers") for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, the Township of North Brunswick desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey ("Rutgers"), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the "Burchell Fair Share Analysis") for determination of a municipality's obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region's affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision") and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality's fair share obligation; and

WHEREAS, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000.00; and

WHEREAS, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000.00; and

WHEREAS, it is anticipated that if each municipality contributes \$2,000.00, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

WHEREAS, a Municipal Shared Services Defense Agreement (hereinafter "MSSDA"), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter "the Rutgers Agreement") and so that Burchell, along with various other experts from

Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

WHEREAS, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC ("Surenian") will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000.00 fee; and

WHEREAS, it is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000.00 fee so that Burchell can conduct the necessary analysis; and

WHEREAS, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000.00 fee; and

WHEREAS, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of Township of North Brunswick, as follows:

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000.00 is hereby authorized to be expended by Township of North Brunswick for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Township of North Brunswick and is appended hereto.
4. The Mayor be and is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the Township of North Brunswick in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The Township of North Brunswick hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the Township of North Brunswick the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the Township of North Brunswick will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000.00 it paid.