

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 7, 2012**

A.) CALL TO ORDER & ROLL CALL

The Ordinance Committee Meeting of the Township of Monroe was called to order at 7:00 PM by **Council Vice-Pres., Daniel Teefy** in the Second Floor Meeting Room of the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the Open Public Meetings Act of New Jersey (NJSA 10:4-6 thru 10:4-21). Notices were placed in the official newspapers for the Township of Monroe (i.e.: Gloucester County Times, the Courier Post and the Sentinel of Gloucester County) and copies were posted on the bulletin board at the Municipal Complex.

SALUTE TO THE FLAG

Cncl. Rich DiLucia led the assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ron Garbowski	Present	
Cncl. Daniel Teefy	Present	
Ord. Chairman, William Sebastian		Excused
Business Administrator, Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Planner, Tim Kernan	Present	
Deputy Clerk, Sharon Wright	Present	

B.) APPROVAL OF MINUTES

Cncl. Ronald Garbowski made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of February 1, 2012. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance with the exception of **Cncl. Frank Caligiuri** who **Abstained**.

C.) PUBLIC PORTION

Cncl. Rich DiLucia made a motion to open the Public Portion. The motion was seconded by **Cncl. Marvin Dilks** and unanimously approved by all members of Council in attendance. With no one wishing to speak **Cncl. Rich DiLucia** made a motion to close the Public Portion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

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D.) ORDINANCES FOR REVIEW

▪ **Williamsburg Village - Connection to Public Water & Sealing Potable Wells**

Solicitor Fiore explained Council previously adopted a connection to public water and sealing of potable wells ordinance for Williamsburg Village however when it was sent to the State they requested the ordinance include the additional language dealing with violations and penalties referenced in Section 3 of the draft ordinance. Mr. Fiore noted the irony of this is, the MMUA gets the grant and the revenue from this but the township must enforce the regulations. He spoke of going to court three times in the past for issues dealing with other spill fund areas and explained the reason people do not connect to public water is usually because they don't have the money or in some cases they are just being belligerent. He felt a fine will not make them tie in, as it usually takes a court order forcing them to do so. Mr. Fiore noted since the State gave no recommendation to what a penalty should be he would recommend a range of \$100.00 to \$500.00, as there are people who truly cannot afford this while other people flat out refuse until a judge tells them to do it. Mr. Fiore spoke of penalties such as a minimum \$100.00 to a maximum of \$1,000.00, 90 days in jail and 90 days community service, which are the maximum penalties allowed to be charged by ordinances. **Cncl. Dilks** questioned whether the range the solicitor was recommending would cover all legal costs. Mr. Fiore explained civil court has no ability to recoup money when what is referred to as "Summary Action" is taken to require compliance with an ordinance. He reviewed the ordinance language and explained this would be a criminal penalty. He suggested the violation be established at \$100.00 to \$1,000.00, 90 days in jail etc. just like the other ordinances, as that would at least give the ordinance some teeth and may prevent us from taking anyone to Civil Court. **Cncl. Teefy** noted the language the State recommended does say "to make connection to the public water system and seal the well together with attorney fees and costs incurred by the Township seeking such enforcement". Mr. Fiore felt Judge McDonald would not impose that because two out of three people have legitimate financial limitations. **Cncl. Bryson** noted most people in the spill fund area have forms to complete for ten year no interest loans to cover the \$2,400.00 tie in fee. The loans will allow them to pay one \$240.00 payment a year because the loan is less than \$10,000.00. He noted his property is not in the spill fund area so it will cost him \$10,000.00 to connect to water and sewer, which is why he was hoping the entire development, would be covered. He also noted there is a lot of objection to closing the wells, as the residents were lead to belief they could keep their wells. Mr. Fiore noted homes outside of the spill fund area can keep their wells active when they tie in to public water. **Cncl. Bryson** noted because his home is not in the spill fund area, it will cost him \$3,700.00 for the permit, \$5,000.00 for the plumbing fees to tie into public water and for an additional \$300.00 he could keep his well active by turning it into an ag-well. **Cncl. Bryson** noted he cannot understand or get an answer regarding why vacant lots along Corkery Lane, between the Black Horse Pike and Malaga Road, are included in this spill fund area and it will cost future homes built on those properties less to connect to public sewer and water than it will for the current residents of the Williamsburg development, which are not included in the spill fund area. **Cncl. Caligiuri** explained how that happens is wells are tested and where contaminates are known to exist is called a CKE Zone. A circle is drawn around the contaminated area and other wells within that circle are tested until one is found not to be contaminated. A radius is formed around the contaminated wells, a bubble is formed on the map and that is called the CKE Zone. If a home is inside that zone it is covered under the spill

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fund, if outside the zone even if the water line runs by the house it would not be covered under the spill fund but homeowners can connect if they want to. Cncl. Caligiuri noted the township previously adopted an infrastructure expansion fund ordinance that was never funded but would have covered all the houses in between if we had the money to do it. Cncl. Teefy requested Council's feelings on the \$100.00 to \$1,000.00 penalty. Cncl. Ron Garbowski noted he would abstain from this because it affects his home. Cncl. Bryson questioned Mr. Fiore on whether he could vote upon this because his home is not in the spill fund area. Mr. Fiore advised he could vote on the issue. Mr. Bryson along with the other members of Council in attendance were in favor of the recommended penalty. Mr. Fiore questioned whether Council wanted the 90 days jail time included. Council was not in favor of that language being included in the ordinance. The ordinance will be placed on the March 13th Regular Council Meeting agenda for First Reading.

▪ **2012 Capital Improvement Budget**

Cncl. Teefy asked if Council had any questions about the proposed 2012 capital budget. Cncl. Rich DiLucia noted the Public Safety Committee report denied some things included in the capital budget and he felt there should be some dialogue in terms of why and who approved those things. Business Administrator Kevin Heydel questioned what was denied. Cncl. DiLucia noted the report circulated to Council from the committee chairman Cncl. Sebastian denied the Cecil fire truck. Cncl. DiLucia noted he and Cncl. Bryson were also on that committee and he had advised the Cecil Fire Chief that he has no problem reconsidering the fire truck; it just depends upon whether funds are available in the budget for the Budget Committee to consider it. He noted the report, which is on record, indicated that type of vehicle was only used three times last year and he recommended further discussion take place on this matter since a new truck will cost approximately half a million dollars. Mr. Heydel noted he has been directed by the Mayor to go out to bid for three different pieces of equipment, two pumpers for Williamstown Fire Company and one combination pumper/rescue for Cecil. The rescue part of the truck will carry certain tools, such as the Jaws of Life and it will not be as defined as their current rescue vehicle is, as it will be a multipurpose vehicle. Cncl. Bryson noted the committee discussed purchasing two pumpers together for the cost of \$600,000.00 and now the proposed cost of just one truck is over \$600,000.00. Mr. Heydel noted the cost may not be that much since vehicles will be traded in on the new trucks. Cncl. DiLucia noted the trade in value is not much and the two trucks will be approximately \$600,000.00 to \$650,000.00 because they are being purchased together. The cost was an unspecified amount for the Cecil truck. He noted setting the cost aside; the committee questioned the need in terms of the utilization and then published a report that did not recommend purchasing it, which was received by every councilman. He spoke of receiving direct calls from the Cecil Fire Chief and how he told him if he could make a case for needing the truck the budget committee would still need to approve the money. Cncl. DiLucia expressed his concerns that somehow this went from committee, to making a recommendation, to bypassing the Budget Committee and now being included in the capital budget in the form of \$3.1 million dollars without a process. He questioned what the process is for this. Cncl. Caligiuri noted that capital amount includes some other vehicles. Mr. Heydel explained the \$1.2 million is just for the fire trucks. Cncl.

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Caligiuri noted we spent \$900,000.00 for a ladder truck that he only saw in parades but he found out the hard way that it is really important to have one when it is needed. The firemen in Cecil were not able to get their truck started plus it is unable to carry the amount of oxygen mandated for it to be utilized as a rescue vehicle. He added the way he understands it, Cecil requested the truck because it's needed and the mayor sent the issue to George Reitz, who is skilled in fire protection and he made the recommendation directly to the Mayor. Cncl. DiLucia explained the Public Safety Committee made a recommendation in a report that was based upon pretty thorough statistical analysis and it went from that report, to no discussion, to finalization and he would like someone to give him a counter reason to the report Cncl. Sebastian gave. He added that could wait until Cncl. Sebastian gets back as he is the one who did most of the ground work to get the statistics in terms of how many times this truck was used, what the need is, what the distance is, the time involved, etc. There are two issues; one that the Budget Committee should deal with in regards to whether the money should be spent and the other is the need. Cncl. DiLucia noted it was on the record the vehicle was not needed and he would be open to hearing someone tell him why the report denying it was wrong in order to change his mind on this matter. Cncl. Bryson, a member of the Budget Committee along with Cncl. Caligiuri and Cncl. Dilks, noted the committee discussed a rescue vehicle for \$400,000.00 and questioned if it would be less expensive to purchase a rescue/pumper. He noted he was shocked now to hear it will be much more expensive than two pumpers and could not go for that. Cncl. Caligiuri explained the reason George Reitz selected the rescue/pumper is because Cecil was going to request a rescue vehicle this year and then a new pumper next year so they decided to compromise and accept a rescue/pumper vehicle that would accomplish both things. He noted it may not be in use every day, just like the ladder truck, but when you need it, you need it and part of the usage factor was that the current truck would not start. Mr. Heydel added Cecil only has one pumper and that is aging. He went on to explain the proposed bond is big because anticipated needs were included since we will not be going out to bond again for the next three or four years and also because interest rates are currently very low. He explained he worked out the financials so the amortization of the bond will not have an impact on our operating budget every year. Cncl. Bryson indicated there are also other public safety concerns such as EMS trucks approaching their dead end point. The committee ignored doing anything for that since the Williamstown fire trucks were the oldest and really needed to be replaced and if anything needed to be done for Cecil they would compromise. Cncl. Daniel Teefy questioned if Mr. Heydel knew the cost breakdown of all three vehicles. Mr. Heydel noted two are \$675,000.00 and the rescue/pumper will be approximately \$575,000.00. The cost for the three trucks was rounded to \$1,260,000.00 for the capital budget. Cncl. Rich DiLucia noted he sat on the committee with three people that did what they thought was their due diligence to try to keep costs down because at the time there was a projection of a \$1.6 million bucket. Every department was called in and requested to provide, not a wish list, but a pared down list and at the end of that process recommendations were made and everyone was told that the final decision would be based upon the need and on the ability to pay. Aside from the ability to pay, in a report that was memorialized, this vehicle was denied based on statistical evidence that it was not necessary. Cncl. DiLucia noted all he wants is someone to come before Council and make a case for the need to expend money for this vehicle, as he cannot vote for something that he previously denied. Cncl. Teefy spoke of the Mayor saying

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the report was based upon a rescue vehicle and the request before Council is a multi-use pumper/rescue vehicle that can do both. Cncl. Dilks noted before the committee report was done he, the BA and Cncl. Caligiuri attended a meeting with Cecil Fire Chief Bob Ferguson, who gave a quote of \$600,000.00 for a rescue truck to replace the current worn out one. He noted Council does not want to spend that money but if the need is there a rescue/pumper will take the place of two trucks. Cncl. Teefy questioned whether Williamstown rescue would respond if a rescue truck was needed in Cecil today. Cncl. Caligiuri noted the rescue vehicle would come from the Corkery Lane building but that is 1.8 miles to the Cecil building where the vehicle would potentially start from for a Cecil call. The problem that exists happened last weekend when a home in Friendly Village caught fire and it took extra time for the emergency response vehicles to get there when there was a very high probability that the two adjacent homes were going to burn too. The people did get out but those senior homes are very close and there could have been problems. The plan for Cecil is that their rescue vehicles will be utilized and then the one from Corkery will be called for backup. Solicitor Fiore questioned whether the one hybrid vehicle has the same rescue capacity of one rescue vehicle and one pumper because we may be getting more bang for the buck but may not be getting the emergency services capacity we need. Mr. Heydel felt the answer to that question would be yes because the Mayor requested George Reitz to be in charge of the committee reviewing this issue, as he did not want each individual organization to do that, as they see needs based upon how pretty trucks are; not how functional they are. George recommended bare bone trucks that do not have all the bells and whistles but are practical for what the need is for now as well as the future. Cncl. Bryson questioned whether Cecil would need another pumper next year. Mr. Heydel replied, not that he is aware of and when he talked to the departments he told them to make their requests now because he does not expect to go out for bonding for another three or four years. Cncl. DiLucia noted the reason the committee denied Cecil's request was because when Cncl. Sebastian investigated their issues with the rescue truck not starting he found someone, who did not know what they were doing, had gerrymandered the truck by putting the wrong wiring on the battery, which caused it to not start. He noted if this truck will provide an additional service that the committee did not get presented with, it there is a question of safety and the Budget Committee is OK with it, he will yield to this. Mr. Heydel noted he would request George Reitz attend the Work Session meeting to clarify the need for the truck. Cncl. Teefy questioned whether Council could make an adjustment to the bond ordinance after it was discussed at the Work Session. Solicitor Fiore advised adjustments could be made at that time because the ordinance would not have gone for First Reading yet. Mr. Heydel advised the fire trucks went out to bid after the Mayor distributed copies of the bid proposal at the last council meeting. The consensus of council was to move the bond ordinance forward for further discussion and clarification from George Reitz during the Work Session Meeting.

Cncl. Pres., Frank Caligiuri referred to the Re-allocation ordinance and questioned whether Mr. Heydel looked into repairs for the Cecil Fire Company roof because he didn't want money already allocated for repairs to the Cecil building to be reallocated if it was still needed to make those repairs. Mr. Heydel advised an architect inspected the roof and it doesn't need

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to be replaced; it just needs to be repaired. We will be going out to bid to replace all the flashing around the edges and for the entire roof to be sprayed with rubber roofing material. Cncl. Bryson questioned whether funds were included to repair the flooring in the Hall Street School. Mr. Heydel explained in the past, money was identified for improvements for each specific building but that was restrictive, so now, a line item was included in the budget for municipal building improvements, as that will encapsulate all the buildings. He explained the reallocation ordinance is being done to consolidate money that is left over from old ordinances that need to be removed from the books. There is also the 2006 GCIA Improvement Fund that has a balance of \$250,000.00, which is restrictive and cannot be reallocated. That balance will be cancelled and the other monies will be moved to the new bond. Mr. Heydel went onto explain how he tried to figure out what expenses will be over the next few years based upon our history and he expects new HVAC systems will be needed on the municipal building. We already have \$240,000.00 allocated for that purpose and that money is not part of this bond. There is a balance of \$900,000.00 in bond funded ordinances that will be rolled into this so the overall bond will be approximately \$4.1 million. He explained over the last few years the township has been deducting \$50,000.00 a year from the bond ordinances with balances because we are required to pay it down every year. He noted just because we do a capital ordinance does not mean we go out to bond right away; we hold it, add the things up and go out for bond one time because of the cost associated with going out for serial bonds. Mr. Heydel advised the S & P is keeping our "AA" rating, which means we have been successful given the economic conditions over that last four or five years. Council questioned what the interest rate will be. Mr. Heydel noted he did not know at this time, as that is established when the bond is done based upon bond conditions and what people are willing to pay. Cncl. Dilks noted items listed in the Re-allocation ordinance still need to be done such as the Road Program. Mr. Heydel noted that money will be cancelled out of those old ordinances and rolled into the new one so there is a fresh start going forward. Cncl. Dilks questioned the need for a 16,000 pound lift for the vehicle maintenance shop that was requested in the Capital Ordinance. Cncl. Teefy explained that is needed because the present one does not meet OSHA standards and will not be certified after 2012. Cncl. Teefy questioned the 2012 Chevy Tahoe EMS quick response vehicle. Mr. Heydel explained the current EMS response vehicle is aging. The new one will be purchased through State contract and will be outfitted with a lighting package so it can be easily transferred to the Police Department. Cncl. Teefy questioned whether this vehicle would go to the Police Department if EMS moves to the County. Mr. Heydel replied no, because we will maintain the EMS rescue company and this vehicle will be a part of that. Mr. Fiore referred to the proposed Road Program and questioned why Orchard Avenue is on the list to be paved when it has major issues with drainage. Plus a new subdivision, Smith Orchards, is going in along that road and the developer will be responsible to reconstruct part of that roadway. Mr. Heydel noted just because that road is on the list does not mean it will be paved it just means they are looking at roads that need to be done. With no further questions or concerns to be discussed Cncl. Teefy polled Council and all were in favor of moving the Re-allocation Ordinance forward for First Reading at the March 13th Regular Council Meeting.

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- E-Mail Policy - Removed from Agenda

- Pineland Comprehensive Management Plan (*Amending Sections 175-11, 175-94.1, 175-107B, 175-127, 175-151, 175-153, 175-157, 175-158, 175-159, 175-160 and the Schedules of Permitted Uses and Schedules of Limitations of the Zoning Ordinance*)

Planner, **Tim Kernan** explained the proposed ordinance amends many sections of the Land Management Code but it actually deals with just three Pineland standards; Wetlands management, forestry and residential clustering in rural development and forest areas. He explained the Pinelands Commission has updated their Comprehensive Management Plan over that last couple of years and in turn Monroe must update their Land Management Code to be consistent with the Pinelands CMP otherwise Monroe will no longer have control over its own zones. Sue Grogan of the Pinelands attended a meeting here and said if these changes are not adopted by Monroe any new land development applications that first go to the Pinelands will stay there for review, changes if needed and approval. The developer can then do his project without ever going before the Township Planning or Zoning Boards, which is the threat the Pinelands has thrown out. Mr. Kernan explained the first two areas that were changed were the Forestry and Wetlands Management areas. The Wetlands Management now allows for some activities under a few limited circumstances. In the Forestry area the Pinelands previously just referenced some national forestry standards or guidelines in the practice of forestry and now they have come up with their own forestry standards in the CMP. There is now a whole section on applications to conduct forestry operations, there are definitions of different types of forestry and that is the bulk of the ordinance changes. He noted the Pinelands promotes managing forestry areas and this ordinance defines how that is to be done. The last amendment requires residential cluster in forest areas. Mr. Kernan explained if a resident owns 80 acres and wanted to subdivide that into two 40 acre lots it would need to be subdivided in such a way that if two homes were to be constructed on those lots, they would need to be each on one acre, near the road and close together. The remaining 78 acres would be preserved with a deed restriction and either owned by the town, by one of the two property owners or the two property owners could form a homeowners association and co-own the property but it cannot be split between the two. The rules are awkward but when Sue Grogan was here she explained it. The rationale behind it is they do not want to fragment the forest because they do not want any interruptions in big masses of forest, which is why they picked the forest and rural development areas. He noted there may be some ways around the regulations and he gave the example of someone owning 80 areas that wanted to build a house in the woods and someday give the other half of their property to their kids. The property owner could build his house in the woods and then in the future when the property is subdivided into two lots the next home could go anywhere on the lot; it will not have to go near the first house. Relief can also be requested from the Pinelands if clustering is found to be bad for the environment. In those instances the Pinelands could grant approval to build the homes back into the woods but for the most part they want homes clustered closer to the road. The proposed ordinance amendments drafted by Planning Board Solicitor Len Schwartz are basically modeled from the Pinelands CMP. **Cncl. Bryson** referred to the map included in the

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packet and questioned why the white sections on the map were not designated as Redevelopment Areas. Mr. Kernan explained the map is just an exhibit to describe the impact of the changes and only deals with the proposed changes; it does not deal with all classifications in the zoning map. In the regular zoning map those areas would be called out as the redevelopment areas. He went on to explain the areas on the map that showed the changes being made. Cncl. Teefy polled council and all were in favor of moving the proposed changes to Chapter 175 forward for First Reading at the March 13th Regular Council Meeting.

Cncl. Teefy noted discussions are taking place regarding building a storage unit and an announcer's booth behind the softball field on Church Street and it has been said it will take a year and a half for the application to go through. Solicitor Fiore noted the Board of Education will need to make an application to the Pinelands because they own the property. The township previously came under scrutiny for changes that were made over the years without Pineland approval and ARH just got all those issues resolved. He noted this project was represented to him that it would be a maintenance building for the lights. Now Cncl. Teefy is saying it's going to be an announcing stand for softball, which is why an application must be made to the Pinelands since they previously threatened to come down on the township with their wrath for all the things that had been previously done over the years. Mr. Fiore suggested the association go to the Board of Education and request that they support an application to go before the Pinelands. Cncl. Teefy questioned if there is any type of building that could be built without going before the Pinelands. Mr. Fiore replied, probably not, because it would create an impervious surface. Mr. Fiore felt it may not take a year and a half to get Pineland approval, as they are trying to expedite those types of applications.

Cncl. Bryson noted on the Pinelands website they have a listing of things that can be done where an application does not need to be made and some are relative to the construction of a building. The site states a building can be placed on a non-permeable surface or the building must be less than 1,000 square feet and it must have water and sewer.

E.) MATTERS FOR DISCUSSION - None

F.) NEW BUSINESS

Cncl. Pres., Frank Caligiuri noted on February 24th he sent to the Solicitor, Ordinance Chairman and Clerk a template ordinance regarding a Municipal COAH liaison and requested that position be created and a stipend be considered for it. He questioned whether Mr. Fiore had a date in mind when that issue would be discussed. Mr. Fiore noted if Council agrees the template ordinance is the format they want it's just a matter of preparing the ordinance. He suggested for the purpose of being fair across the board and in order to preserve everyone's rights that the position be advertised and opened to everyone rather than creating an ordinance for the benefit of one person. Council could than make the appointment based upon resumes or

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documentation submitted after the job posting. Cncl. Pres., Caligiuri recommended incorporating into the ordinance minimum qualifications that the person has a high school education and that they have the ability to complete and submit the forms and create the reports required by COAH. Much discussion took place regarding creating this position and what the stipend should be. Cncl. Marvin Dilks noted he was not in favor of stipends and felt the salary of the employee appointed could be raised for the additional duties. Cncl. Pres., Caligiuri felt that could not be done because if that responsibility was added to the position of the person being appointed right now it could create a problem in the future if another person is appointed. Solicitor Fiore added most people work from a Civil Service job description and this may not fall within that job description and he recommended keeping it separate and distinct. Cncl. Pres., Caligiuri noted the stipend could be anywhere from \$1.00 to the traditional stipend of \$4,000.00 and Council could make that decision based upon the responsibility of the position. Council discussed the responsibilities included and the time the position would require. Cncl. Dilks questioned whether a 40 hour per week employee making a specific salary would be given a stipend to stay additional hours to perform COAH duties or would they be doing those duties within their 40 hours, as they would then be getting extra money and working less hours at their regular job. Cncl. DiLucia noted when job evaluations are done additional compensation is not automatically required just because someone is given additional duties. In the real world the definition is that a job must add certain skills that require further education and he felt that is why, it would be better for the township to pay a stipend for the additional time spent. He felt the hours should come outside of a 40 hour position. Dan Kozak noted he wanted to make it clear that he told the Mayor he would be willing to perform these duties without a stipend, just like he took over helping the Board of Health when Mr. DiLolle retired without requesting his \$5,000.00 stipend, as that work is done in his normal day. He noted if he felt he couldn't do the Board of Health duties in his normal day he would have said that was impossible to do. Business Administrator, Kevin Heydel added Mr. Kozak is a multi talented person, as he also does building inspections for the Construction Department. Cncl. Teefy questioned Mr. Fiore on whether this is definitely a Council appointment. Mr. Fiore advised it is. Cncl. Teefy polled Council regarding creating a \$4,000.00 stipend. Cncl. Bryson, Cncl. Pres., Caligiuri and Cncl. DiLucia were in favor of it. Cncl. Dilks was against it, Cncl. Garbowski wanted to know what the additional responsibilities and time would be before a dollar amount was placed on the position and Cncl. Teefy also felt there should be additional discussion on it. Cncl. Pres., Caligiuri noted there is a deadline of March 31st to get COAH reports completed and submitted to the State. Mr. Fiore advised they must be done or the COAH trust fund will be forfeited to the State. Cncl. Pres., Caligiuri noted Mr. Kozak said he would do that for free just starting out in case we run into a snag. Mr. Kozak interrupted and said, no, he did not say that because the COAH work has not been touched since 2008. He noted he has not been appointed so why would he do all that work and then someone else could be appointed. Cncl. Pres., Caligiuri noted he knows that Mr. Kernan does not routinely perform that portion of the duties but he thought he was given the task of doing it. Mr. Kozak noted he cannot speak to that but he knows it has not been done since 2008 because the township records were pulled at the class he attended in Trenton and they questioned why nothing has been done on the township's end since 2008. He added he wanted to clarify his statement that it was not on Mr. Kernan's end of the work that was not done; it was only the

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F.) NEW BUSINESS (cont'd)

township liaison's portion that was not done. Cncl. Bryson questioned whether we could request an extension because we are between people. Mr. Fiore noted he could pen a letter to the State indicating we are in the process of appointing someone. Discussion took place regarding posting of the position, the proposed stipend, how the employee who previously performed these duties had requested a stipend and the additional duties involved. Cncl. Garbowski questioned whether Mr. Kozak has been doing these duties or if he had an idea of what is involved. Mr. Kozak noted he has not done any of the work yet but did attend a course in Trenton after the Mayor appointed him to the position about a month ago. The course explained the job and how they would provide support but he never logged onto the COAH site because there was discussion that this may not be the Mayor's appointment and he didn't want to step on anyone's toes that may want the position. Cncl. Garbowski questioned whether Mr. Kozak knew how much time he would spend on this. Mr. Kozak replied no and explained none of the other COAH liaison's attending the class said this was a full time job and most had three or four jobs; the smaller the town, the more hats they are wearing. He explained the time spent depends upon how much construction there is in the town. He noted he did say he would do the job without a stipend but obviously if it becomes overwhelming he would go to the Business Administrator if it gets impossible to get all the work done. Cncl. Bryson questioned whether the Mayor submitted Mr. Kozak's name to Trenton. Mr. Kozak explained when he went to the class he was given a login in number but that does not mean someone else can't do the work. Cncl. Bryson noted according to COAH regulations the Mayor must submit the name of the person being appointed as the applicant and COAH must approve it. Solicitor Fiore felt if COAH receives the name of Dan Kozak they would just add him to their list they would not review any credentials because there are none. Mr. Kozak explained the duties of the liaison include logging money into the trust fund. Cncl. Pres., Caligiuri noted the duties also include more than just construction, it involves work whenever a COAH home is sold, there is an inventory of unoccupied homes, the homes must be marketed, people must be qualified, a list created of interested people and all that must be coordinated and then reports submitted on a regular basis. Mr. Kozak noted putting substantial additions on houses is also included. After further discussion of the job duties Cncl. Garbowski and Cncl. Teefy agreed to the \$4,000.00 stipend for the position. Further discussion took place regarding posting the position and Business Administrator Kevin Heydel questioned whether Council was going to interview the prospective people who have interest in this position. Cncl. Caligiuri noted the Planning/COAH Committee could do that. Upon review of Chapter 49 "Housing Liaison, Municipal" Mr. Fiore advised the template ordinance that was already adopted in 2006 includes language that compensation shall be fixed at the time of appointment. It was noted the previous liaison appointment was done by Council in the form of a resolution. Further discussion took place regarding posting the job and it was felt knowledge of affordable housing qualifications should be included for the position. Cncl. DiLucia felt the position would not need to be posted since the appointment is at the discretion of Council. Additional discussion took place regarding positing the position, whether a stipend is pensionable and whether one would be paid. Upon conclusion of this discussion a decision was made to not pay a stipend at this time and for a resolution to be prepared for the March 13th meeting formerly appointing Mr. Kozak as the COAH liaison since he has volunteered to perform the work without a

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F.) NEW BUSINESS (cont'd)

stipend. Mr. Fiore explained in the future once there is background on how many hours are involved with the position Council may want to consider a stipend.

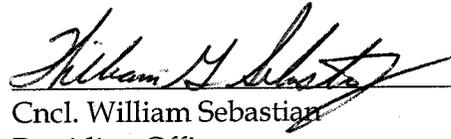
G.) OLD BUSINESS - None

H.) ADJOURNMENT

With nothing further to discuss Cncl. Ronald Garbowski made a motion to adjourn the Ordinance Committee Meeting of March 7, 2012. The motion was seconded by Cncl. Marvin Dilks and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Sharon Wright, RMC
Deputy Clerk


Cncl. William Sebastian
Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of March 7, 2012 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted SW Date 4/4/12
Approved as corrected _____ Date _____