

**MINUTES
WORK SESSION MEETING
TOWNSHIP OF MONROE
MAY 10, 2011**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council Vice-President, Frank J. Caligiuri** at approximately 7:07 PM in the Conference Room on the first floor of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

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

SALUTE TO OUR FLAG – **Cncl. William Sebastian** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski	Present	
Cncl. William Sebastian	Present	
Cncl. Daniel Teefy		Excused
Cncl. Pres., Marvin G. Dilks, Jr.		Excused
Mayor, Michael Gabbianelli	Present	(Arrived 7:15PM)
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Eng., Chris Rehmann, ARH	Present	
Dir. of Finance, Jeff Coles		Excused
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz	Present	
Dir. of Community Affairs, Sandy Dilks		Excused
Twp Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

- **Comcast Grant**

Solicitor, Charles Fiore indicated the municipality received a technology grant check, in the amount of \$80,000.00, as set forth in a letter dated April 21, 2011 from Comcast. The question now arises as to how the money is going to be spent and apparently, per the contract, the money must be spent within the first year. Mr. Fiore went on to explain that there were several proposals from various departments and those proposals now need to be taken under consideration by the council members, with deliberation by the committee (*Garbowski, Sebastian, Teefy*) and recommendations given to council. **Cncl. William Sebastian** explained that a wish list was previously put together and that list was utilized

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B.) MATTERS FOR DISCUSSION (cont'd)

in determining the amount of grant money requested. **Business Administrator, Kevin Heydel** explained that the money is entered in as a Special Item of Revenue (*Chapter 159*) within the budget and set up as a grant. The solicitor advised that you must look at the spirit of how the monies were given, that being in the form of a technology grant. It should be utilized to the extent that it will benefit the overall public/entire community. **Cncl. Caligiuri** questioned if it was at the discretion of council as to how the money is to be spent. The solicitor responded, yes. **Cncl. Ronald Garbowski** did note that included in the information received by the committee it was mandatory that the township report to the state just how the money is being spent.

Cncl. Walter Bryson then posed both a question and a comment on the utilization of the technology grant. He requested, on behalf of the Historical Society, to have an air-conditioning system installed at the Ireland Hofer House to preserve the artifacts/goods being stored in the building such as books and uniforms, as part of the technology grant. **Cncl. Caligiuri** noted that in the spirit of the approach to be taken he felt the Historical Society should send a formal request and the justification for such a request. **Cncl. William Sebastian** explained his concern as to the "*wish list*" of sorts included with the original application, as the committee had to justify where the intent was to spend the grant monies. He was not sure if the township could go outside the original parameters of the request to Comcast. **Cncl. Sebastian** noted the committee received several requests from many different departments (Library, OEM, Police Department, etc.) In reviewing the various requests this assisted us in how we generated a total request. First, we should find out can we deviate from the list or is the grant specific to what was requested. The solicitor speculated that probably it is going to be within the confines of the grant. He added if we must wait on a response from the Board of Public Utilities it could take some time. **Cncl. Ronald Garbowski** did indicate that information from Barry Taylor, Regional Director of Government Affairs for Comcast was received on what constitutes technology under the grant. The solicitor will have to review the documentation that came back from the state in order to determine if we can deviate from the list. Discussion continued and there will be a meeting set up for the Comcast committee to review the list; once the review has been completed, this matter will be scheduled for a future work session.

• **Taxicab Driver's License**

Township Clerk, Susan McCormick noted that **Cncl. Pres., Dilks** had requested this matter be placed on the work session agenda for discussion, due to the current changes and re-establishment of Chapter 254 entitled "*Taxicabs*". The Clerk noted this matter was strictly for two (2) additional **driver's licenses** as the taxicab company itself has already been licensed. The solicitor explained that in the past we did not require an individual license for each driver however now we are requiring a license for both the cab and any additional drivers. The Mayor posed a question on if the police checked to see if the driver licenses were valid. The solicitor indicated they did not check for a valid license they did a criminal record check (*only for Monroe*). It was noted that the police could not conduct an NCIC check; this can be done only through an outside agenda. **Cncl. William Sebastian** advised that he spoke with Chief Pontano and Captain Smart

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B.) MATTERS FOR DISCUSSION (cont'd)

and was advised they cannot use NCIC to do background checks at the request of outside entities, it is only police business. The solicitor advised that currently the taxi company is compliant with our ordinance as it exists, it only requires they produce a valid driver's license, legally we cannot verify it. Mr. Fiore explained there is a need to address our ordinance with an amendment that would give us authorization to verify the licenses through an outside agency. Again stressing that all our current ordinance requires is a background check in Monroe Township. The Mayor then advised, after contacting the police department, that you can forward to the traffic bureau and they can validate each license. The solicitor then gave a brief update on the discussions involved during the course of reviewing the Taxicab ordinance. It was the consensus of council members to move this matter forward for approval under Correspondence at the regular council meeting. This ordinance will be considered for further review at an upcoming ordinance committee meeting.

- **R:104-2011 Resolution Of The Township Of Monroe In The County Of Gloucester, State Of New Jersey, Determining And Certifying Amounts To Be Raised For School Taxes For The 2011-2012 School Year**
(two attachments/separate figures)

Cncl. Frank Caligiuri noted that council was presented with two options on this resolution and requested an update from the Education/School Budget committee of council who reviewed the school budget. **Cncl. Ronald Garbowski** advised that the committee (*Garbowski, Sebastian, Teefy*) met with members of the school board and administration and posed many questions on several line items. The school budget is currently under their state authorized adequacy budget of \$73,607,402 and the current tax levy was under the 2% cap. The budgeted adequacy spending is at \$71,092,168 and any cuts made must be justified in writing to the school board and other entities. The general tax levy for 2011-2012 was \$42,478,773 and that represents a 1.9997% increase over the previous year's budget of \$41,645,856, this increase equates to \$832,927,000 over the tax levy of 2010-2011. **Cncl. Garbowski** then noted they discussed with the board what figure they would be comfortable with; they indicated a figure of \$315,175. He added this figure could possibly come from the account number 08290-12-000-400-710, which is a facilities acquisition and construction services and improvements line item, the current line item currently has a total of \$770,375. He noted that the \$315,175 dollar amount would not affect any of the school programs. The current line item has a total of \$770,375 budgeted for this school year. At the conclusion of the meeting the committee members from council had a discussion as to why the entire amount could not be cut, going to a total of \$750,000. **Cncl. Garbowski** went on to note that the \$315,175 figure represents where the school board feels they are comfortable at. He advised that the decision is going to be if council is to go with the school board's wishes or reduce the tax levy by \$750,000.

Cncl. William Sebastian then made reference to the \$770,375 figure and that the school board had removed \$20,000 from the reserve fund. Council could not touch the reserve fund you can only touch monies going to be in the tax levy and that is where the \$750,000 figure came from. A question brought up by the board representatives that

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B.) MATTERS FOR DISCUSSION (cont'd)

council members met with was that although we are dealing with monies within one specific line item they (*schools*) have the ability to move figures around to cover other matters such as book purchases, etc. Therefore, some monies that were in that fund could be used toward purchasing another item or perform research surveys or for a facilities acquisition of some kind. There was discussion on the possibility of the school taking over the old library building. Whatever the school board would decide on the possibility of acquiring some type of new space for the administration building; by leaving a portion of the \$750,000 figure (*\$750,000 - \$315,175*) in the budget under the land and improvement line item it would afford them some money to move in that direction. If council were to decide to take the full amount of \$750,000 it will not impact on the students but it does not allow them to facilitate dealing the review, etc. for a new facility.

Cncl. Walter Bryson questioned the two separate figures involved (*\$315,175 and \$750,000*) and exactly what impact they have on the taxpayers as far as dollars and cents. **Cncl. Garbowski** noted the additional increase over last year's tax levy was \$832,927 or 1.9% or approximately 3¢. **Cncl. Bryson** noted the public asked us to review the tax levy and that was because of one or two reasons. One would be to reduce the spending or they wanted us to look at where the spending would be and to justify it. **Cncl. Bryson** continued indicating the he believes the taxpayers here in this township should have the option to vote on it (*buildings/improvements*) and we have an obligation to reduce it.

Cncl. William Sebastian agreed with Mr. Bryson to some extent, if they were going to go for a \$2 or \$3 million dollar new building, then it should be put out to referendum. He explained he was not referring to that and the board is aware of that. He added the committee was emphatic during the course of their meetings that if in fact, they were going into that process they need money to do the initial surveys, etc. before going out to referendum. The last referendum we had was for approximately \$42 million dollars where they added on to a number of existing buildings where they had already owned the land and the buildings and they had a figure to go with. **Cncl. Sebastian** added that if the school board is looking into new property, an existing building that is off site where they have to purchase property or even the existing library building, which is property they do not own, there is a process that must take place to evaluate all options. He went on to say that by taking out the \$315,175 you are leaving some money to do all this. Obviously, they cannot build a building for \$400,000. **Cncl. Ronald Garbowski** noted that the committee did tour the Maple Grove Administration Building and plans need to be in place to initiate replacement of that building. He felt perhaps there is land already owned in their existing inventory that may be suitable to build on. He felt they should take their time, put a package together and plan a little better to see what the best alternative is. There was a brief discussion on the funding within the land and improvements line item; that was the one line item council was keying in on. There was also discussion on facilities acquisition and construction services. **Cncl. Sebastian** added that there was a thorough review and many line items that council requested clarification on. He added the fact that the budget was 2% under the cap and that they were \$2.5 million dollars under the adequacy budget it got to the point, where us a committee were looking for finite numbers because we will have to justify everything. **Cncl. Sebastian** stressed, on a serious note, that whatever cuts

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council makes the school board has the ability to appeal to the state. The committee was seeking a comfort level; we were not pushing the envelope. The board was quite reasonable with any requests we had, they had all paperwork available and they were very straight-forward with the dollars and cents values. **Cncl. Sebastian** noted that personally if put to a vote he would stick with the \$315,175 reduction. This is based on the fact that we are still reducing 1/3 of the tax levy, they are already under the adequacy budget and the percentage they are allowed to increase by.

Cncl. Frank Caligiuri inquired if it was the recommendation of the committee to go with the \$315,175 figure or the \$750.00 figure. **Cncl. Ronald Garbowski** responded that the committee was split on their recommendation, thus the reason for bringing forward two resolutions.

Cncl. Rich DiLucia referred to some information forwarded to him, from one of the committee members, regarding the \$750,000 and that this money would be money that the teachers forego in the form a pay increase and questioned if this was accurate. There was no clear response to the question. **Cncl. DiLucia** then indicated that he would forego his vote until he heard public comments.

The Solicitor advised that council hold off on a decision regarding the recommended figure until public comments were heard; as someone may have a comment that would sway a particular councilperson's vote. At the appropriate time both resolutions can be brought forward and a motion can be made, this will be done at the regular council meeting. At this time, it was noted, that the resolution including the \$315,175 figure version would be designated under "A" and the \$750,000 figure version would be designated as "B".

C.) PUBLIC PORTION

Cncl. Ronald Garbowski made a motion to open the Public Portion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

Michael Hamilton, 594 Greenbriar Drive - distributed to council information on the Budget Efficiencies and the savings derived from the joint efforts of everyone concerned. He spoke of the \$750,000 figure and noted this was not all on the teachers or the backs of the workers. This is a result of hard work from everyone and a combined effort from everyone on the board. Our goal here is to save the taxpayer money over the long haul.

Earl Vassallo, Interim Business Administrator - 553 Forest Grove Road, Vineland, NJ - Mr. Vassallo took this opportunity to explain to council where this money came from and what will happen to it, regardless of the reductions taken by council. The money is presently in the 2010-2011 school year budget. Under the budgeting laws of the state of New Jersey for schools during the month of June if we anticipate excess surplus we may appropriate that to a reserve account, if we do not then it just goes into surplus at the

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C.) PUBLIC PORTION (cont'd)

end of the school year. Mr. Vassallo noted that due to a variety of reasons, partially because the negotiations went very well the 1.5% contribution toward insurances from our employees which was not locked in at the time the budget was made and many efficiencies implemented, we have been able to estimate that we will have approximately \$750,000 that is going into excess surplus. This excess surplus can only be used for tax relief. The problem being it is not sustainable. If we allow that excess surplus to be appropriated into capital reserve we know eventually we are going to need a replacement of that facility (*school administration building*). It doesn't have to happen next year or in ten years but it is going to have to happen someday. What we are anticipating doing, is placing that \$750,000 into capital reserve in June. We can only withdraw that money at budget time (*July 1*). That money will stay in our capital projects fund over the course of a year, if we are able to purchase a property or renovate a property, if we have one donated to us or if we perform a feasibility study, we can appropriate some of that money to cover such costs. Mr. Vassallo then noted that in June, 2012 any of those funds we have not spent we can re-appropriate back into capital reserve and continue to do that year after year until we finally decide "yes" we are going to build or renovate or go out to referendum. If we don't do that it gives us a spike and then a valley in our tax base. The money, if it is not reserved will go into the general fund excess surplus. We would then be forced to reduce taxes by that amount of money. However, this time next year in the 2012-2013 budget we will not have that \$750,000 again because it will have been used for tax relief. He continued to explain that we can then pull out of our banked cap (*because we won't use the 2% for this year*) that 2% plus the 2% given for next year and go out and request a 4% tax increase so we won't have to cut any programs, or we could cut \$750,000 worth of programs. Cutting programs in a budget that is already \$2.5 million under adequacy indicates that we will be \$3.2 million under adequacy. We can't possibly operate that way. Mr. Vassallo spoke on some figures indicating that \$70,000.00 equates to one teacher (*starting salary/health benefits*). If you figure a support staff position that equates to two (2) people. So we would be looking at somewhere between (*on the low side*) of at least eleven (11) people losing their jobs and possibly as high as fourteen (14) if this amount is not sustainable and this amount is not sustainable. This time next year we all be meeting here again because if the community did not pass a 2% tax increase, they will not be passing a 4% increase. We will be dealing with the same issue but instead of taking some money out of an account where it will not cripple people, we will be talking of laying off perhaps 10 to 15 people, cutting programs that are viable and possibly forcing the board to go for a commissioner's waiver. Mr. Vassallo explained that we feel we can probably make a strong argument (*this time next year*) for the stability of the district that any additional cuts in our budget would cripple the district and not allow us to continue on. Right now, Williamstown Middle School is a school in need of improvement, test scores need improvement and we are under a "CAPA" review. This means that due to our test scores not being where they should be we are being monitored on a constant basis. He went on saying that the budget being proposed calls for adding another core of teachers at Williamstown Middle School in an attempt to improve test scores and reduce class size. Our elementary schools are all opening their doors in September with somewhere between 28 and 30 youngsters in a class and our kindergarten classes are opening with 25 children per class. This is the maximum number of students allowed without county office approval. We are sitting now on a swell of children that we

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C.) PUBLIC PORTION (cont'd)

anticipate for September. This number (40 to 50 youngsters) is in anticipation coming from the new project located up off Route 322. This number equates to two (2) classrooms and we budgeted for one (1) additional teacher at the Holly Glen school. If we get as many as we possibly could get we will need an additional teacher. When you look at all these factors together, I think we make a strong argument this time next year that the commissioner should restore the monies. What would happen then is that the taxpayers of this community would be saddled with a 4% tax increase, instead of a 2% increase. We feel it is much more stable to give them a gradual tax increase this year and another gradual increase next year. By giving us a 2% tax levy cap the state has pretty much kept us on pace with inflation. Mr. Vassallo then explained that we are \$2.5 million under adequacy and most noteworthy is that we are \$3 million under the regional average in administration. We are working with all part time people, he himself (*Vassallo*) is a retired administrator and the district is saving \$70,000.00 for both himself and Mr. Henderson as a retired part time administrator. The savings come from no benefits (*benefits coming from the state*) being paid and their salaries are about 2/3 of a salary they would normally pay someone in a district this size. Mr. Vassallo noted we eliminated one assistant superintendent, eliminated elementary assistant principals and elementary guidance counselors, there is nothing left to eliminate. We are down to where our classes are swelling and we have not brought textbooks in ten years. This budget contains a figure of \$200,000.00 for textbooks and this is the first time, in years we put money in for a major textbook series. Mr. Vassallo concluded when you put all these factors together we feel it makes a much more rational approach to try and make a little bit of an increase this year and a little increase next year. Quite honestly, he stated he did not want to be here next year asking for 5½¢, and that is where we will be if we have to drop below the \$315,175 figure.

Paul VanHouten-Monroe Township Education Association, Teacher President noted that MTEA agreed to a pay freeze, in part, for tax relief, due to the governor saying that towns were hurting and the public was in need of tax relief. He stated that he was a taxpayer living in Monroe Township. He spoke of the \$700,000 figure and how some of his members were upset that the figure came out to be a similar number of what was being saved through the 1.5 contribution toward health benefits and a salary freeze agreed to. The leadership of the MTEA had no argument about that money. The money is going toward a great thing and spoke of the conditions existing in the administration building. He spoke on the condition and age of the textbooks. He stressed any money taken is going to hurt and it will only get worse as things will never get less expensive. Mr. VanHouten spoke of class size and how the schools are busting at the seams. With building still taking place within the township, he questioned where an influx of students would be placed in the upcoming years.

With no one else wishing to address council members **Cncl. William Sebastian** made a motion to close the Public Portion. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council in attendance.

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D.) NEW BUSINESS - None

E.) OLD BUSINESS - None

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED – 5/10/11

Solicitor, Charles Fiore advised that Resolution R:105-2011 *Resolution Of The Township Council Of The Township Of Monroe Authorizing The Sale Of A 2005 Black Yamaha RS6 Motorcycle Through Public Auction* is permitting the sale of a motorcycle that was confiscated by the police department in conjunction with the efforts of the Gloucester County Prosecutors Office allowing it to be placed in the auction being held by the township on Wednesday, May 11th at 9:00AM at the Public Works Garage.

Cncl. Frank Caligiuri questioned Resolution R:102-2011 *Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute Agreement Between The Township Of Monroe And Monroe Township Administrative Employees Association*. Cncl. Caligiuri referred to dates included within the agreement being in effect for the period of 2009, 2010 and 2011 with a retroactive increase of 2% per year. He questioned if that organization even existed in the year 2009. **Business Administrator, Kevin Heydel** responded no, that we passed a tentative agreement last year when we negotiated contracts. What we are doing here is putting in place the full contract because the memorandum of agreement did not incorporate all the articles however, none of terms or conditions have changed. **Cncl. Caligiuri** then questioned if the employees received their increases. Mr. Heydel responded yes.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED

Cncl. Frank Caligiuri questioned Ordinance O:15-2011 *An Ordinance To Amend Chapter 18 Of The Code Of The Township Of Monroe, Entitled "Contracts, Public"*. He felt that during discussion on this at the ordinance committee meeting that it was the consensus of council to incorporate certain language in all contracts. He felt to include a copy of the ordinance with all contracts would suffice and language to be included in the ordinance at the time of 2nd reading should read: **§18-3** *A true and correct copy of this chapter as adopted shall be provided with any contract that is awarded*. It was noted that a copy of the ordinance will be included with all executed contracts (*on the part of the township*) at the time they are sent out for signatures.

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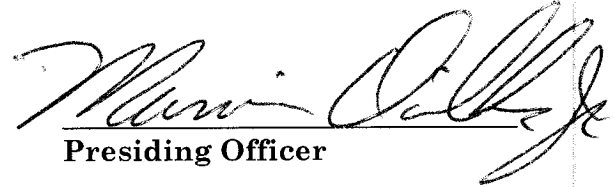
I.) ADJOURNMENT

With nothing further for discussion, **Cncl. William Sebastian** made a motion to adjourn the Council Work Session of May 10, 2011. The motion was seconded by **Cncl. Ronald Garbowski** and was unanimously approved by all members of Council in attendance.

Respectfully submitted,



**Susan McCormick, RMC
Municipal Clerk**



Presiding Officer

These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of May 10, 2011 and serves only as a synopsis of the proceedings. Portions of the official tape may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted AmJ Date 5/24/11
Approved as corrected _____ Date _____