

**MINUTES
WORK SESSION MEETING
TOWNSHIP OF MONROE
AUGUST 23, 2011**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Marvin G. Dilks, Jr.** at approximately 7:00 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. Walter Bryson 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	Present	
Cncl. Pres., Marvin G. Dilks, Jr.	Present	
Mayor, Michael Gabbianelli		Excused
Business Admin., Kevin Heydel	Present	(Arrived 7:08PM)
Solicitor, Charles Fiore	Present	
Eng., Chris Rehmann, ARH	Present	(Arrived 7:15PM)
Dir. of Finance, Jeff Coles	Present	
Dir. of Public Safety, Jim Smart	Present	(Arrived 7:15PM)
Dir. of Code Enforcement, George Reitz	Present	
Dir. of Community Affairs, Sandy Dilks		Excused
Twp Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

- **Questionnaire CY 2011/SFY 2012 Best Practices Inventory**

Chief Financial Officer, Jeff Coles explained last year the State of New Jersey initiated a questionnaire in an attempt to have municipalities report various items to the public. They wanted to ensure that government is doing everything it can in relation to implementing cost savings measures such as shared services, health benefit entitlements, etc. Last year's survey was pretty convoluted but this year it is better directed in the various categories. Mr. Coles advised that both himself and Business Administrator, Kevin Heydel completed the survey and realized a score of over 90% which gave us 100% on our last payment of state aid for this year. He briefly explained how the questionnaire is

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B.) MATTERS FOR DISCUSSION (cont'd)

submitted, this year the governing body must acknowledge the survey was taken into consideration at a public meeting after which the municipal clerk must complete the "Best Practice Public Meeting Certification Form" and submit it to the DCA. The deadline for submitting both the survey and the certification is September 1, 2011. It was noted that the survey has been completed, filed and submitted to the DCA via email at www.nj.gov/dca/lgs/bestpractice/htm. The Clerk will send her certification to the state as soon as the governing body approves the survey, this will take place at the regular council meeting.

Cncl. Walter Bryson posed a question regarding the "General Management" section, specifically item #5 (*Does your municipality have an ongoing policy cross referencing the submittal of Certificates of Occupancy from the Construction Official to the Tax Assessor?*). The response to this question was "no" however Mr. Heydel noted there is to be work done in this area. **CFO, Jeff Coles** explained what they are looking at on this is for safeguards to be put in place so that all CO's are submitted to the assessor and all added assessment are placed on the records by the tax assessor's office. **Cncl. Bryson** also questioned item #7 (*Does your municipality require its elected officials to attend basic courses on responsibilities and obligations in local government*). Mr. Heydel explained what they are looking for on this and gave an example of the JIF seminar that council attends on an annual basis with the township receiving credit.

- **Tax Payment Plan Request**

Cncl. Pres., Marvin Dilks referred to a letter received from a resident requesting assistance in possibly setting up some type of tax payer agreement due to her personal hardship. The process would be to send this request to the Tax Collector and have a taxpayer agreement schedule prepared. **Business Administrator, Kevin Heydel** explained to date \$9,257.00 is due (*all of 2010 taxes*). The Clerk will correspond with the tax office and request a recommendation along with a taxpayer installment schedule at which time the solicitor will review it and prepare the necessary paperwork (*resolution/agreement*) for the next council meeting.

- **Blaze Mill Litigation**

Solicitor, Charles Fiore noted that Mary Beth Lonergan, (*Court Appointed Master*) COAH was to be in attendance this evening to speak on the matter. However, Mr. Fiore suggested that a joint meeting be scheduled with the Planning Board, Zoning Board of Adjustment and Council as the litigation involves all three entities. This would give Ms. Lonergan the ability to address all questions and speak on the matter to those involved. There was then discussion on dates and times and it was the consensus of council members to schedule a Special Council/Closed Executive Session for Wednesday September 14, 2011 at 7:00PM (*The Clerk will advertise after verifying if all persons involved could be present at the meeting*).

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B.) MATTERS FOR DISCUSSION (cont'd)

Cncl. William Sebastian referred to an email sent from a resident in the Willow Woods development regarding a problem with the retention basin and trouble with a contractor making threats against the people. **Engineer, Chris Rehmann** explained there was an incident in the vicinity of Buckingham Court. He explained the property backs up to a retention basin and the basin has failed (*not draining*). We were having them pump the basin down and they were running the pump 24/7, as this gets quite noisy we had them stop this. He went on to explain that Richmond American Homes was advised of the noise ordinance in place setting hours from 8:00AM – 5:00PM, which they complied with. Mr. Rehmann explained this is what was reported to him by the resident. He went on to explain the pump was running on a Saturday and the residents were planning a barbecue, there was a request made to the operator from Jersey Construction Company to stop the pumps. At that point, there was some sort of confrontation and the police were contacted. **Cncl. Sebastian** then noted since the police were contacted he did not go out and get involved personally, as this was a police matter, not a council issue. He assumed everyone was copied on the email however that was not the case and he will forward the email to all council members. **Engineer, Chris Rehmann** advised they contacted Richmond Homes and advised them this is a practice that we will not accept; they chose to sell those homes adjacent to the basin and they must consider the fact this is a residential community. There are noise ordinances to comply with and the police will be notified if necessary. He then spoke of some proposed plans to alleviate some of the problems with the basins. Mr. Rehmann then noted they have pumped that basin out at least 4 times, they have cleaned the bottom at least twice, the saving factor is if it does fail it will not flood anyone, it will flood into the swamp and there is sufficient swamp there to take it.

Engineer, Chris Rehmann then advised that ARH would be bringing forward a recommendation to both council and the planning board on basin work that needs to be addressed. He added he felt we need to keep the homes (*Willow Woods*) that are adjacent to the basin unoccupied or un-built upon until such time they can prove the basin works. The solution to this problem is to widen the basin. Once you have water in a basin what you have done is taken capacity out of the basin for the next storm. This problem happened in Chestnut Green there should not have been a home within 200 feet of that basin, it should have been widened out so that there was more capacity above the water table. A recommendation will be forthcoming for Mr. Fiore to review and a determination will be made to see if council is interested in adopting the recommendation in ordinance form (*amendment*). **Cncl. Frank Caligiuri** questioned if we could mandate aeration on all basins by way of ordinance. It was noted possibly this could be done on a wet basin and perhaps an amendment to our current ordinance could be done at the same time the other recommendations are being reviewed. He did voice his concern with the Residential Site Improvement Standards (*RSIS*) that preclude the township from making certain types of requirements. Discussion on this continued as well as the question of drainage easements on residential lots.

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C.) PUBLIC PORTION

Cncl. William Sebastian 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.

Jim Smart, Director of Public Safety spoke with council on behalf of the fire company with regard to pumping out residential homes and properties. Mr. Smart indicated this was talked about previously and one thing that we have been living by is if we pump the water out of one house and it goes on to someone else's home we take on that liability. He questioned if this was still the case. It was noted that "yes" this is the case. He felt, with council's approval, he would like to send to all Chiefs that we do not pump any houses. If there would be an eminent danger of problems with any utility they would secure the utilities just as we did throughout the town during the recent torrential downpours/storms. There is a bit of a problem with two fire departments as each one is doing something different. One department is showing up and saying the best I can do for you is secure the property, the other one is saying I have pumps let me run them for you. Mr. Smart went on to explain notwithstanding the liability aspect we are committing equipment to something that we are **not equipped** to do. There is a waste of manpower in that if we need that apparatus and/or people, we will not have them available for the job that we need them to do. The solicitor indicated that Mr. Smart, as Director, could send out an SOP to all departments. Mr. Smart noted we do have an emergency plan in place, the reason he was bringing it to the attention of council this evening is that we may be looking at a situation come this Sunday. He would like council's permission, to put this policy out. Mr. Fiore suggested that the Business Administrator, Kevin Heydel could contact the JIF tomorrow and get an opinion, from a liability standpoint. Mr. Smart went on to speak of the potential impact the approaching storm could have as it not just rain, there are potential winds projected which could bring down tree and wires, power outages, road closures, etc. He noted the fire companies always worked in conjunction with the public works departments to keep the roads clear. He felt that is more important than trying to get water out of basements. He felt getting a determination from JIF as far as the legal standpoint would be beneficial. However, with this storm knocking on our door he would really like to make the disposition before the weekend. There was a question posed as to what companies may have a service to assist residents with pumping out their basements if the fire companies are unable to do this. The solicitor suggested a general statement with wording such as this service is not of a public nature and possibly note many companies in the area that offer such services. **Frank McLaughlin, Emergency Management Coordinator** noted that a list could be generated indicating several agencies locally that deal with this. Mr. Smart then noted there are procedures in place that take the responsibility out of the township's hand. The homeowner is technically responsible for their own property. Discussion continued on the torrential downpours that occurred on August 14th and the effects of this on the entire municipality. **Mr. McLaughlin** advised there was a high potential for damaging winds in the hurricane that is forecasted for this weekend. As it stands we are looking at the possibility of a Category 1 hurricane hitting the area which entails 75mph winds, with higher gusts, and heavy rains. There is a concern that the ground is already saturated from the previous storm and there could be heavy damage with trees falling. **Mr. McLaughlin** then gave a brief overview of what transpired

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C.) PUBLIC PORTION (cont'd)

at the lakes/dams within the township during the August 14th storm. The major issue was with Sunset Lake as it had partial erosion around the spillway. Friends of Victory Lakes did a good job in making the necessary repairs so it did not breach. Most of the flooding took place in the Diamond Lakes area (*from the lakes themselves*). FEMA was contacted and they were in the area on Monday and Tuesday after the storm and are working on getting a presidential declaration of disaster which is a two-part process (*individual assistance and public assistance*). A determination on this should be made within a week or two.

Cncl. Frank Caligiuri then commented on the issue involving the dam Victory Lakes. Over the last fifteen (15) years we could not figure out what was going on because a sink hole would always develop right on the earthen dam right above the spillway. During the storm, we finally discovered what it was because the storm unearthed a large cavern and there is a fall-out pipe underneath that goes from the spillway of the higher lake to the outfall on the lower lake. There is a flange or housing in that pipe that separated and what was happening is that it was using the water to draw the dirt out from above the fall-out pipe and carrying that dirt into the other lake, thus creating a cavern. So when the storm unearthed that, the construction crew for Friends of Victory Lakes actually covered that with a synthetic fiber wrapping and put clay and rock on top of it. It is actually more secure now, because of the storm, then it ever was in the last 15 years.

Mr. McLaughlin noted for the private non-profit of Friends of Victory Lakes the township will include them in the public assistance category so they may be able to get some money from FEMA for the repairs and possibly some permanent repairs.

Cncl. William Sebastian questioned the status of setting up certain flood zones within the township. Mr. McLaughlin noted that is in place, it is done via FEMA mapping, the national flood insurance program. He added he has all the maps, they have recently been revised as of January last year. Instead of the large bulky maps they are now aerial shots with much better detail of what type of house is where. **Cncl. Sebastian** questioned if a home was located in a designated flood zone weren't they supposed to get flood insurance? Mr. McLaughlin explained in the particular lake areas the flood zone goes in and out both sides of the lake. Some of the houses are in the flood zone and others are outside of the flood zone. He reported there are some problems with insurance agents who are not willing to sell insurance to people outside of the flood zone. Mr. McLaughlin explained that he spoke with a representative from FEMA who indicated that was incorrect. Anyone can purchase flood insurance, if you are not in a flood zone it would be much cheaper than if your home is located in a flood zone.

Business Administrator, Kevin Heydel advised of letters being received from several residents seeking damages from the township due to storm related issues. Mr. Heydel forwarded these matters to the JIF for determination.

Director of Public Safety, Jim Smart also reported on a problem with respect to the lack of drainage of the major retention pond that sits in the rear of Williamstown High

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C.) **PUBLIC PORTION** (cont'd)

School. There is now a major concern with it overflowing onto Prince Avenue every time there is a major storm. He questioned if there was anything we could do to help with the problems along Prince Avenue. He went on to explain the nature of a very weird, bizarre, and ugly call to this location where the oxygen content in the basement was down to 6%, unexplained to this point. He advised the county hazmat team was sent to do testing, to date the gas has not been identified. Discussion continued on various problems throughout the township. **Mr. Rehmann** noted eight inches of rain in 24 hours is considered the 100 year storm and the township received well over that almost a 200 year storm. You simply cannot design anything for that.

With no one else wishing to address council members **Cncl. Walter Bryson** made a motion to close the Public Portion. The motion was seconded by **Cncl. Frank Caligiuri** and unanimously approved by all members of Council in attendance.

D.) **NEW BUSINESS** – None

E.) **OLD BUSINESS**

Cncl. Ronald Garbowski urged anyone who had proposals to submit for the Comcast grant, they must have it to him by the next council meeting. Once all the information is compiled, the committee will review the requests and come up with recommendations to the full council.

F.) **COMMITTEE REPORTS** - None

G.) **QUESTIONS REGARDING RESOLUTIONS SCHEDULED – 8/23/11**

Cncl. Frank Caligiuri posed a question on Resolution R:143-2011 (Resolution Canceling Unexpended General Capital Preliminary Expense Reserve Balance). **Mr. Heydel** responded. He also questioned Resolution R:146-2011 (Resolution Of The Township Council Of The Township Of Monroe Authorizing The Renewal Of Membership In The Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund) The solicitor indicated that a three year commitment was permissible. Also questioned was Resolution R:152-2011 (Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute The Shared Services With The County Of Gloucester, New Jersey). **Mr. Heydel** explained the figures involved and added that the agreement under R:154-2011 was one that was never executed, this is after the fact.

H.) **QUESTIONS REGARDING ORDINANCES SCHEDULED** – None

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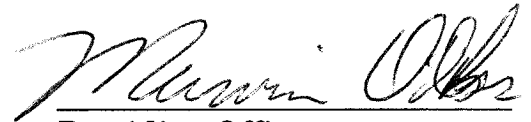
I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Frank Caligiuri** made a motion to adjourn the Council Work Session of August 23, 2011. The motion was seconded by **Cncl. William Sebastian** 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 August 23, 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 SM Date 9/13/11
Approved as corrected _____ Date _____