

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013**

A.) CALL TO ORDER & ROLL CALL

The Ordinance Committee Meeting of the Township of Monroe was called to order at 7:00 PM by **Ordinance Committee Chairman, Cncl. William Sebastian** 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 | Present |
| Business Administrator, Kevin Heydel | Present (Arrived 7:06 PM) |
| Solicitor, Charles Fiore | Present (Arrived 7:02 PM) |
| Deputy Clerk, Sharon Wright | Present |

B.) APPROVAL OF MINUTES

Cncl. Rich DiLucia made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of February 6, 2013. The motion was seconded by **Cncl. Marvin Dilks** and approved by all members of Council with the exception of **Cncl. Ronald Garbowski** who **Abstained**.

C.) PUBLIC PORTION

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

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION

- **Facebook and Social Media Content Policy**

Solicitor Fiore explained he contacted Matt Lyons, County Counsel regarding the county's Social Media Content Policy and was told we should not use their policy due to a suit brought against them based upon constitutional claims and collective bargaining issues. Mr. Fiore felt this issue should not be addressed at this time, due to constitutional rights being protected and because the governmental entity has limited ability on what someone outside this building can place on the social network. That is a dangerous area to tread and difficult to objectively enforce. The County paid an undisclosed amount to an employee who claimed he was retaliated against for reasons other than what his content on social media and emails were. Mr. Fiore felt this issue is not paramount and should be addressed during contract negotiations because not only does it need to be adopted by Council, it also needs to be addressed in collective bargaining agreements like the Employee Policy was a couple of years ago. He noted the township has an email policy but he was not sure if it was being totally enforced. **Cncl. Rich DiLucia** explained all collective bargaining agreements include a "Management's Rights" provision that reaffirms things otherwise not addressed in collective bargaining agreements. Things bargained away are no longer management's rights and if a policy is implemented, it can be unilateral, but a good collective bargaining representative will never sign off on it because they could be agreeing to a more rigid policy that does not take into consideration years of service or good and bad employees. A collective bargaining representative retains the right to not agree and has the right to grieve and arbitrate an issue of discipline. When you promulgate a policy outside the collective bargaining agreement you open yourself up for standards of consistency and employers will lose more than win. They cannot show leniency in policy or discipline, if in fact, history indicates variation from it regardless of what the reason is. He explained if a late policy is in place and an employee is dismissed because of lateness seven times in a twelve month period while another employee, who is considered to be a good employee, was late ten times and was not disciplined because he told his supervisor he had a special problem, the dismissal will be reversed and the employer would be required to pay back wages. If no policy is in place, the employer has much more latitude and can implement discipline based on an overall opinion on whether the employee violated the rules of conduct. Someone with twenty years of service probably would not be fired if in a six month period they had problems with lateness, whereas someone who has been employed for nine months and is consistently late probably would be. **Cncl. DiLucia** felt a social media policy should not be put in place at this time. Mr. Fiore added if something is egregious provisions are in place under the code dealing with overall general conduct. **Cncl. DiLucia** spoke of collective bargaining agreements having "Just Cause" provisions, which interpret the issue, not the measure of time or the circumstances. The employer would be free to present his entire case in support of the action he took as opposed to narrowing his position to a singular issue. **Cncl. Sebastian** requested Mr. Fiore to address this with the Mayor since it came to fruition when he requested the BA and Solicitor to look into a social media policy because of an issue with a volunteer, not an employee. **Business Administrator, Kevin Heydel** noted if social media was to be defined it should be defined as something that does not bring disparity to the township. **Cncl. Sebastian** requested the Solicitor and Mr. Heydel discuss it and decide if this is something that should be brought back to Council.

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION (cont'd)

• Chapter 65-26 Time Records

Business Administrator, Kevin Heydel requested the ten minutes allowed for lateness be removed from the Code due to issues with people being ten minutes late everyday, which amounts to fifty minutes a week. **Cncl. DiLucia** noted in arbitrated cases if people come in one minute after their designated start time they are considered late for the purpose of discipline. **Mr. Heydel** explained the time clock is set up in quarter hour increments so if a person works to 4:12 they get paid until 4:15. The payroll policy is that if a person comes in at 8:07 they get paid from 8:00 but if they come in at 8:08 they get paid from 8:15 and that does not match the ordinance. He noted some men in Public Works come in a half hour early at 6:30 AM but the clock does not take that time it automatically clocks them in at their start time of 7:00 AM. **Cncl. DiLucia** expressed his concerns that could cause issues with Wage and Hour and he questioned whether the township attorney said that was OK because he felt it was incorrect. He explained if an employer allows an employee to come in half an hour before start time everyday and that employee goes to Wage and Hour saying they are not being paid overtime the employer would have a difficult time winning that case. Most employers will permit employees to come in no more than twelve minutes before start time and they cannot stay too long at the end of the day. Time records are forever and if a person says they were working the employer cannot prove they were not working. **Cncl. Pres., Teefy** spoke of how the time clock at his place of employment will not allow them to clock in until the start time. **Cncl. DiLucia** added many places will discipline employees for coming in too early because that prevents an overlap and eliminates future liability. **Solicitor Fiore** questioned whether employees leave early. **Mr. Heydel** replied no, when they get back to the township yard early they clean and gas up their trucks and once that's done they usually stand around waiting to clock out at 3:00 PM. He noted some of the older employees come in early to get coffee or just to sit around and talk before getting their daily work assignment at 7:00 AM. If they came in right at 7:00 there would be 50 guys standing in line to punch in, which would make some of them late. Council discussed what amendments would be made to the ordinance and it was decided that Section B would be changed as follows:

- B. All employees are expected to report to work at their assigned starting times. ~~Lateness in excess of 10 minutes shall result in the loss of 15 minutes' pay.~~ Repeated lateness shall may result in disciplinary action.

Cncl. Sebastian polled Council and all were in favor of the proposed changes. **Solicitor Fiore** indicated he would prepare the ordinance for First Reading at the March 11, 2013 Council Meeting. **Cncl. Marvin Dilks** questioned whether disciplinary action on lateness is addressed in contracts. **Mr. Heydel** noted lateness was not addressed in the contract; it is addressed in the Code and in the employee handbook.

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION (cont'd)

- **Cost Recovery For Emergency Services and Hazardous Substances**

Business Administrator, Kevin Heydel requested the recovery cost for emergency services and hazardous substances be postponed until after he meets with Jim Smart and the Glassboro Fire Chief on Thursday, March 7th to discuss third party billing for the fire department and because Frank McLaughlin should be in attendance for the hazardous substance cost recovery discussion. **Cncl. Bryson** noted the information provided includes a fee schedule of \$500.00 for each incident and he questioned if that was correct. **Cncl. Sebastian** explained that is the set fee that OEM can bill FEMA for our equipment being called out. The BA is having a meeting to discuss third party billing when the fire trucks and rescue vehicles are dispatched. **Mr. Heydel** explained D & M does our EMS billing and Revenue Rescue handles fire department and rescue billing. **Cncl. Sebastian** noted the list included in the information provided to Council is what the government will pay and Frank McLaughlin would like those fees included in an ordinance. **Cncl. Pres., Teefy** requested **Mr. Heydel** to ask the Glassboro Fire Chief who handles the backend paperwork in their department. **Mr. Heydel** noted he is considering making Frank McLaughlin the point person that would complete forms for the billing company from run sheets the fireman fill out on each call.

- **Expansion of Redevelopment Area**

Cncl. Bryson explained the Redevelopment Committee met with Stuart Wainberg, the redeveloper of Williamstown Square, who is requesting that redevelopment zone be extended on both sides of the pike to Malaga Road. In 2010 the Planning Board recommended expansion but at that time they were recommending the zone be expanded all the way down to Whitehall Road. **Cncl. Frank Caligiuri** noted that area is already zoned commercial. He added the essence of redevelopment is to provide some opportunity to vary the zoning and also provide some concessions for the redeveloper. **Cncl. Sebastian** noted once an area is made a redevelopment zone, the zone does not have the effect, it does not have to be commercial or residential; it can be mixed use or whatever the Council decides on. **Cncl. Caligiuri** agreed and questioned why Council would want to change it and give the developer that option because the landowner could apply to the Zoning Board for a use variance if for some reason there was an opportunity to put something other than commercial in on the site. **Cncl. Sebastian** added they would need to come before Council to find out whether they can do anything in the redevelopment zone. **Cncl. Caligiuri** disagreed with **Cncl. Sebastian**, noting under normal circumstances it would go before the Zoning Board. **Cncl. Sebastian** noted if Council changes the pike from a commercial zone to a redevelopment zone to Malaga Road that would no longer be considered strictly commercial. Instead of going to the Zoning Board for every piece of property, a plan could be developed and brought before Council who could say whether it would be mixed use, commercial or whatever because we are the ones who made it a redevelopment zone. **Solicitor Fiore** explained the redevelopment plan would be the overlay. The concept would come before Council but under the MLUL the plan would still go to the appropriate board. **Cncl. Sebastian** questioned if Council says no to something in the redevelopment zone, what the applicant's option would be. **Solicitor Fiore** explained his option would be to take it to court just as RD Management did with Dollar Land. The township didn't

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION (cont'd)

want that in the Acme Redevelopment Zone but since the redevelopment plan talked about overall commercial the judge ruled that Dollar Land was not inconsistent with what commercial was. Mr. Fiore noted that was a valuable lesson to us. Cncl. Sebastian spoke of how previous redevelopment committees as well as other municipalities discussed having some control over what redevelopment areas would look like. Solicitor Fiore noted that can be accomplished by redevelopment and also through planning and Council could do it by recommending ordinances. Cncl. Bryson explained they are asking for the redevelopment zone to be expanded because they could get commercial there but not the kind of commercial that will fit in that zone. He gave the example of someone wanting to build a manufacturing plant there, which is commercial but manufacturing is not in the plan and not what we want in that zone. Solicitor Fiore felt that was a good point because when you look at whether you want to extend the redevelop zone you need to look at what the plan is for that corridor because redevelopment may not fit. The reason why the redeveloper wants the zone expanded is because there are incentives available such as the thirty year PILOT. Redevelopment has been successful with the Wainberg property and unsuccessful with the Ira Taylor piece. The lessons from both of those are unless the owner of the property is 100% in favor of redevelopment it will not work. Wainberg was in favor of it because he got the 30 year PILOT that was beneficial to him while Ira was not in favor of redevelopment so even though the Planning Board made the area a redevelopment zone it will never work. Solicitor Fiore spoke of the Gallenthin redevelopment case against Paulsboro. Mr. Gallenthin fought Paulsboro and won and the city of Paulsboro went in and declared it a blighted area. Mr. Fiore noted when determining redevelopment areas you must go beyond saying it is a blighted area, you must determine why it is in need of redevelopment and in order to do that you must tell them what your vision for the area is. He recommended Council's thought process start out by determining what they want to see happen and what is special/unique about that area of the pike. Cncl. Sebastian noted the redevelopment zone was previously extended almost to Collings Lakes on the RD (*old Acme*) side and that was brought back to Corkery Lane so the reason for doing it in the first place could be substantiated. Mr. Fiore noted the reason it worked there is because we had a developer that wanted to put a shovel in the ground when the economy was about as dark as it could get. He noted it will never work on the RD side of the pike unless RD and the other property owners are on board with this. Cncl. Sebastian noted Stuart Wainberg is still trying to go forward with Williamstown Square and has contacted numerous big box stores including Target, Kohls, JC Penney, Sears, Best Buy and Home Depot about coming here. Target pulled out because corporate in France decided they are going to put their money in constructing new stores in Canada instead of the United States and all the other stores are not expanding because of the economy. Wainberg explained the problem is he has large acreage at the one site where he anticipated having two box stores, one at either end and filling in the middle with little retail but if he can't get the big stores to anchor the mall he will not be able to get the little stores. Wainberg feels the reason he cannot get the big stores is because we don't have a large flow of traffic on the pike that was anticipated from the Wal-Mart. The Mayor feels traffic did not increase because the Wal-Mart held a soft opening rather than a grand opening and it is just by word of mouth that people know the store is even there. Eventually the store will pick up but right now it is not happening. Wainberg felt that if the redevelopment zone was increased on both sides to Malaga Road some of the smaller lots owned by Benderson could be developed for

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION (cont'd)

retail and four or five separate little stores could draw people increasing the pike traffic. Cncl. Caligiuri noted it is already zoned for that. Cncl. Sebastian noted he understands that but under a redevelopment zone he has the option to go to Trenton for reduced loans in addition to a PILOT. Solicitor Fiore noted Stuart is a good businessman and the idea is in a redevelopment zone with a PILOT he can guarantee what the taxes will be and that is why redevelopment works. Cncl. Sebastian noted the PILOT has nothing to do with extending the redevelopment zone because Council could say no if he requests a PILOT. **Cncl. Pres., Teefy** felt the reason he wants it extended is to get the PILOT and if Council does not give him that he will not build. Cncl. Sebastian explained Wainberg will build on the property just zoned commercial but when it's in a redevelopment zone he can get construction loans at a lesser rate. Cncl. Pres., Teefy noted he is telling the committee that when actually he wants the PILOT program, which he should not be given until he builds something at the original site. Cncl. Caligiuri noted he believed the redeveloper of record has applied for tax exemptions and by creating another redevelopment zone how could we deny that to another developer. Cncl. Sebastian felt it is discretionary and would be the same as approvals granted by the Planning Board. Just because a development was approved last week doesn't mean one must be approved this week. Cncl. Caligiuri noted we are discussing redevelopment zones, not individual parcels and all the redevelopers of record so far have requested tax exemption. Mr. Fiore felt that was a good point because people would not want to be a redeveloper unless they get tax exemption. Cncl. Bryson noted the objective is to develop the pike in the redevelopment corridor and Stuart recommended the township attract business to that area rather than to other parts of town such as near Sam's Club or the Scotland Run Golf Course because that helps Washington Township, not Monroe. Stuart talked about building a healthcare center or other things like that due to the nursing homes in that area that draw people. Cncl. Bryson spoke of Cncl. Caligiuri giving him information from the Delaware Valley Regional Planning Commission that explains how towns should be giving tax incentives to bring businesses here and noted if the redevelopment zone is not expanded to Malaga Road we are not supporting that developer. Council also needs to lay out a plan of what we want that area to look like. **Cncl. Caligiuri** posed a question to Solicitor Fiore regarding whether healthcare is exempt to property tax. Solicitor Fiore replied yes for the most part it is. Washington Township had that problem and ended up cutting a deal with them to pay a certain percentage. **Cncl. Rich DiLucia** questioned whether they were talking about for profit or non-profit healthcare facilities because nursing homes are for profit, unless they are a Quaker Home or a spinoff of a hospital. Nursing homes are corporations that pay taxes they do not have non-tax status. Quaker Nursing Home pay no taxes so Council would not be motivated to approve that because we are looking for revenue. Some of our revenue sources are no longer there and we need to find ways to supplement our income or the tax rate of this town will continue to go up. He noted he is no expert on redevelopment but if it gives us the opportunity to negotiate revenue under our control the township had nothing to lose by expanding the redevelopment zone. Cncl. Caligiuri noted Stuart previously talked about putting a surgical center in there and they are tax exempt. Cncl. DiLucia noted only if it is a spinoff of a hospital like Cooper or others that are non-profit. If healthcare is something that is being considered we must look at for profit corporations that trade on the stock market or have private owners that pay taxes. Cncl. Sebastian spoke of dealing with Esposito who owned all the farmland property where Kennedy

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013**

D.) MATTERS FOR DISCUSSION (cont'd)

Hospital is now located. Esposito said he was going to build a hospital in the middle of nowhere and he financed it, built it himself and cut a deal with the Osteopathic School of Medicine in Philadelphia to supply the doctors. It was like the field of dreams, you build it and they will come and they did and his property all around the hospital tripled in value. Developments and professional offices were built and the hospital expanded. Esposito sold the property to the hospital and made a mint. Cncl. Sebastian noted if revenue is not derived from the hospital the town surely gets it from everything it brought to the neighborhood so a non-profit is not necessarily bad because you get revenue from everything else that comes in. Cncl. Sebastian felt there was no harm in expanding the redevelopment zone because if it does not work Council can take it back. Cncl. Pres., Teefy noted originally we had three redevelopment zones, Remcor, Mink Lane and the Acme site. Then the Acme site was split into two so we had four redevelopment zones and to date a shovel has not gone into the ground yet on any of them. Nothing has happened on any of them except for the Remcor site, which Hargrove bought and improved. He recommended the redeveloper build on the redevelopment area he already has and then when that happens Council can consider expanding the area. Cncl. Bryson cautioned that Council will not have that opportunity if we do not support this developer in his proposal. He noted the township is not losing anything if the area is expanded. Cncl. Pres., Teefy noted we will lose the tax base. He recommended telling the developer to move the plans he has for the expanded area into the redevelopment area he already has. **Business Administrator, Kevin Heydel** noted if that happens there is no other area that will fit the size of the proposed prime real estate. Cncl. Caligiuri noted when an area is dedicated as a redevelopment area all the surrounding property owners feel that they have premium land. DeHart who had three properties for sale valued at \$30,000.00 ended up selling them for \$400,000.00 because they were made a redevelopment zone. Cncl. Bryson noted the Redevelopment Committee asked why a shovel has not been put in the ground they were told the big box stores pulled back because of the economy. He noted the township has investment in time for council, the engineers and planner but the developer has a sizeable amount of dollars invested in the land and all he is asking is for the town to make an investment in him by expanding the redevelopment area. Cncl. **Rich DiLucia** added Wainberg said big box stores are not only concerned with the economy but also with the internet because people research prices and order on line. Companies are not sure if they should put their money into stores or into shipping facilities and that is why he said we need to start looking for other areas of revenue such as healthcare, nursing homes, assisted living, eating places and recreation centers for kids. Cncl. DiLucia noted Wal-Mart has so much money that their philosophy is they will be the first one in and hope the store flourishes but if it doesn't, they will close it. There are buildings all over this country owned by Wal-Mart sitting empty because they invested, the store did not prosper so they closed it and wrote it off as a business expense. Cncl. Sebastian noted Deptford has two Wal-Marts with plans for a third. The two existing stores are bookends for the mall which draws the traffic. He noted Wainberg said the only way we will get stores here in this economy is if traffic on the pike increases. Cncl. Pres., Teefy noted he will not vote for expanding the redevelopment zone but he does believe what Wainberg is saying and when he puts a brick in the ground this can be addressed again. **Dan Kozak** suggested if Council decides to expand the redevelopment zone they should require Wainberg to tear down the old dilapidated buildings and clean up his properties along the pike. Cncl. Pres., Teefy suggested

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

D.) MATTERS FOR DISCUSSION (cont'd)

Chris Rehmann be used as a resource in developing the area because his father and him redeveloped Hammonton in the 1960's and 1970's. Cncl. DiLucia noted when the fathers of Hammonton were in control it was blueberry farms and clothing factories, they discouraged businesses from coming there. As those people, who were all multi-millionaires, died off the town realized they needed to develop and that's when it began to grow. Cncl. Bryson spoke of a 2010 report from Tim Kernan that addressed various issues discussed this evening and noted if Council needs a copy of that report they should let him know as he has it. Cncl. Sebastian advised the township is due for a Master Plan review in 2014, as they are reviewed every ten years and the last one was done in 2004. The 2004 review has been continued but by law we must do a complete review every ten years however no funds were included in the budget for that. Solicitor Fiore explained we could argue that the Statute of Limitations does not start running until the last revision so we may not be bound to do one. He noted in 2004 it had been about twenty years since the last review and he felt the State would not fine a municipality for not doing a Master Plan re-examination when ours has been an ongoing process. Discussion took place regarding the cost of a Master Plan re-examination. Cncl. Pres., Teefy requested Mr. Fiore to look into when the clock actually starts on that ten year period when the Master Plan must be re-examined. Cncl. Bryson recommended that architectural specifications and the other things on the redevelopment be done when the Master Plan is re-examined. Mr. Fiore noted architectural specifications can be done now, as that would allow control over what happens in the downtown area. Many towns have architectural plans such as Woodbury that requires even sign changes in the downtown area to go before the Advisory Board and the Planning Board. Those Boards are very strict because they are trying to turn everything around. Properties in the downtown area that had been converted to residential duplexes are now being converted back to commercial and they would like to preserve the golf course but all the proposed plans are mixed use. Mr. Fiore noted on the Black Horse Pike RD Management was willing to redevelop their site but they wanted residential tied into it because the residential funds commercial. Cncl. Sebastian noted it is working on Guzzo's property. Mr. Fiore noted Guzzo may be someone to talk to since he built many of the medical offices around the hospital in Washington Township and along Berlin Cross Keys Road. Cncl. Caligiuri noted he put in residential and took commercial rateables away. Cncl. Sebastian noted Guzzo put in water and sewer on Berlin Cross Keys road, which opened up the Petrongolo's property in the back. Cncl. Sebastian noted discussion on expanding the redevelopment zone will be continued at the next meeting after Chris Rehmann and Tim Kernan have been contacted for their input.

E.) ORDINANCES FOR REVIEW - None

F.) NEW BUSINESS

- Gloucester County Economic Development Council

Cncl. Walter Bryson spoke of a letter Council received via email from Leann Hogan regarding who the township's representative was for the Gloucester County Economic Development Council and he questioned who our representative was last year. **Business**

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

F.) NEW BUSINESS

Administrator, Kevin Heydel advised he was the representative years ago but last year we didn't have one. He recommended appointing someone from the Economic Development Commission to it. Cncl. Sebastian will look into whether the Economic Development Commission could send someone or if the Mayor had to appoint someone.

- Revenue Sources

Cncl. Rich DiLucia noted Council previously discussed raising additional revenue from towing and Dan Kozak came to him with a suggestion. Dan suggested the tower list be established as it currently is with a maximum of ten towers but each tower would pay a reasonable fee to operate in our township. He gave the example if the towing business was worth \$50,000.00 the township could charge each tower on the list \$1,000 a week or if there were five towers each could be charged \$10,000.00 when their application is approved and that would be paid up front by December 31st. The township would have the money and the towers would get their assignments for the year. During the Budget Committee Meeting ideas were kicked around and the BA felt we could get \$75,000 from towing. Regulations should be established to protect the township in regards to tow company employees being covered under Worker's Compensation as well as other insurance. He requested the Ordinance Committee define this idea and put an ordinance in place to get some revenue from towing. He also suggested Council seriously consider medical transport like many other towns already have. He felt the township could get into the market by starting small and could underbid larger companies once our cost for employees and equipment is figured out. He noted Council must find additional revenue because there will be budgetary problems in the future if something is not done. The township handling towing would not be viable at this time due to the initial expenditure of purchasing trucks, hiring qualified people to handle towing and installing security for the yard. Mr. Heydel requested the Solicitor to look into the legalities of charging a fee for towers to operate here. Cncl. Bryson questioned whether we would continue to use the current towing ordinance or would it now be a fee based license. Solicitor Fiore replied we would still need regulations in place. Cncl. Garbowski suggested the township set up an impound yard, charge storage fees and let the towers tow the vehicles. Cncl. Sebastian noted towers will not do that because the money is in the storage and repairs. Cncl. DiLucia felt handling it this way will give us more time to research what needs to be done before we take it over ourselves. Solicitor Fiore noted he was not sure we could charge a tariff or medallion for doing business in town and he will need to look into that. Cncl. Sebastian noted we also need to do research on medical transport, as that would probably be a good revenue generator since we have assisted living and nursing home facilities that use that type of service on a daily basis. Millville can be contacted for information, as they have a huge transport service that handles Cumberland and Cape May counties. Cncl. Bryson questioned whether volunteers and our current equipment would be utilized and if the people running the transport service are EMTs. Solicitor Fiore cautioned that issues may come up if volunteers are used while the township is being paid for non-emergency calls. Mr. Heydel felt volunteers could not be used. Cncl. Sebastian explained transport services do not use box ambulances, they use transport vans that do not contain as much equipment as emergency ambulances do. Van drivers are not required to be an EMT but the person taking care of the patient is. Cncl. DiLucia noted another way to

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

F.) NEW BUSINESS (cont'd)

generate revenue is by a dog park. The cost would be limited to installing water and a fence, as we already have the land and employees to maintain it. Cncl. Bryson noted the County recently built a dog park in Logan Township and he felt there may be some type of grant for that. Cncl. DiLucia spoke of Washington Township charging non-residents a fee to use their dog park. Cncl. Sebastian noted we will continue to look into towing, medical transport services and a dog park as ways to generate new revenue.

- **Bus Stop - Kennedy Avenue & Black Horse Pike**

Cncl. Sebastian noted according to DOT records a bus stop located at Kennedy Avenue and the Black Horse Pike was never designated by township resolution as a bus stop. If the township wants that site to be an active bus stop a resolution must be adopted and sent to the DOT by March 15, 2013. He explained some bus stops were approved by ordinance and are listed in the Code but others were only done by resolution and are not in the Code. The clerk would like all township bus stops to be adopted by an ordinance so they can be included in the Code but for now, Kennedy Avenue needs to be done by resolution so it can be sent to DOT by March 15th. Cncl. Sebastian noted a resolution designating Kennedy Avenue and the Black Horse Pike as a bus stop will be placed on the March 11th Regular Council Meeting agenda and an ordinance adopting all bus stops will be prepared for a future meeting.

- **2013 Municipal Budget**

Cncl. Sebastian explained how he, Cncl. DiLucia from the Budget Committee, Nick Petroni and Mr. Heydel met for three hours to review the budget and how after the meeting he contacted Cncl. Pres., Teefy to fill him in on what had transpired. Cncl. Pres., Teefy's questions were handled via email so the consensus of the Budget Committee is to introduce the 2013 budget at the March 11th Council Meeting and hold the public hearing at the April 8th Council Meeting. Cncl. Pres., Teefy questioned Mr. Heydel on whether the budget would be put on line. Mr. Heydel indicated he would do that and also send a PDF version to Council. Cncl. DiLucia requested the auditor be present at the meeting to explain the technicalities of the budget, as the exceptions to the cap are very complicated. Cncl. Sebastian noted the Budget Committee, the BA and the auditor reviewed line item issues and the levy cap calculation summary. The budget is flat, it has no increase yet \$21,524,368.00 needs to be generated by taxation due to a loss in revenue. Due to the partial reassessment done by the county there has been a loss in revenue of 5.37% and that does not include tax appeals. All three committee members questioned the revenue from the red light camera. The BA explained the 2012 revenue cannot be anticipated in 2013 because as people realize the camera is there, they are more cautious or avoiding the intersection altogether so the revenue will go down. Cncl. DiLucia noted that was the only line item that he could find any variance in and he felt instead of over estimating we should just go with this budget. Mr. Heydel noted when he does a budget he is already thinking of what the impact will be next year, as this year's can be seen in the surplus. He explained two years ago we used \$3.2 million of the surplus balance to supplement the budget, last year we used \$2.8 million and this year we are using \$1.3 million because our surplus is not being replenished. He explained at some point we need to get to a

MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 6, 2013

F.) NEW BUSINESS (cont'd)

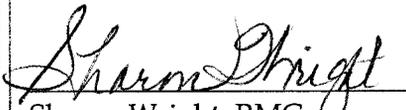
point where we can sustain the surplus number that is being plugged into the budget, as that is the lowest point we can get down to. Cncl. Bryson questioned what is going to happen when the county reduces the revenue of the township again. Mr. Heydel noted that is why he is trying to anticipate what is going to happen next year. Cncl. DiLucia added \$400,000.00 is being transferred into next year's budget to mitigate that a little bit. Cncl. Sebastian noted some homes that were already/reassessed are being reassessed again will come out flat or actually pay a little less. He used the clerk's home as example noting her taxes will go up \$65.00 while his, that were never reassessed, will increase about 11% causing his taxes to go up \$691.00 for the year. Cncl. DiLucia spoke of the auditor explaining to the budget committee how the exception to the cap is effected each time a number is moved in the budget. Cncl. Bryson noted the State took \$500,000.00 from Monroe Township, Middlesex County for bad cap calculations last year and Mr. Heydel spoke of Greenwich Township going out for a cap referendum. Cncl. Sebastian noted Auditor Nick Petroni said this is a very tight, sustainable budget and that we could move numbers within, but that would not change anything. Cncl. Sebastian polled council and all members were in favor of placing the budget introduction on the March 11th Council Meeting.

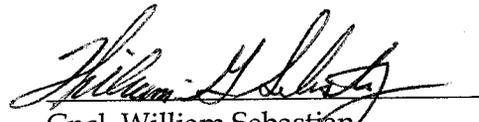
G.) OLD BUSINESS - None

H.) ADJOURNMENT

With nothing further to discuss Cncl. Walter Bryson made a motion to adjourn the Ordinance Committee Meeting of March 6, 2013. 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 6, 2013 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 4/3/13
Approved as corrected _____ Date _____