

MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
APRIL 22, 2013

A.) OPENING CEREMONIES

CALL TO ORDER

The Regular Council Meeting of the Township of Monroe was called to order at approximately 8:00 PM by **Cncl. Pres., Daniel Teefy** in the Court Room 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.: South Jersey Times, the Courier Post and the Sentinel of Gloucester County). A copy of that notice is posted on the bulletin board at the Municipal Complex.

Cncl. Pres., Daniel Teefy stated the Clerk has placed a sign-in sheet at the rear of the Court Room. If anyone would like to address Council during the Public Portion, please sign in and you will be asked to come forward to the microphone. Kindly state your name for the record.

SALUTE TO FLAG - INVOCATION

Cncl. Marvin Dilks led the assembly in the Pledge of Allegiance to Our Flag and **Cncl. Ronald Garbowski** offered the Invocation.

ROLL CALL OF TOWNSHIP OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski	Present	
Cncl. William Sebastian	Present	
Cncl. Pres., Daniel Teefy	Present	
Mayor Michael Gabbianelli	Present	
Solicitor, Charles Fiore	Present	
Business Adm., Kevin Heydel	Present	
Engineer, Chris Rehmann	Present	
Dir. Finance, Jeff Coles		Excused
Dir. Of Code Enforcement, George Reitz	Present	
Dir. Of Public Safety, Jim Smart	Present	
Dir. Of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick	Present	

PRESENTATIONS

• **CERT Community Emergency Response Team Training Graduation**

OEM Coordinator Frank McLaughlin spoke of the CERT Program training 65 people over a nine week period in disaster psychology, disaster preparedness and basic fire fighting with a hands-on exercise at the end of the course that allowed participants to use fire extinguishers. Tonight those 65 students would graduate including 17 deaf or hard of hearing. Mr. McLaughlin thanked the New Jersey Office of Emergency Management for supplying interpreters during the classes and for this meeting tonight. **Martin Wilt CERT Coordinator** thanked the students for their dedication and involvement in this program, South Jersey Gas for providing support, Camden County and Gloucester County area Amateur Radio Emergency Services (ARES) and (RACES) Radio Amateur Civil Emergency Services, Monroe Township EMS and Rescue for cribbing and triage at the disaster, Gloucester County Highway Department, Monroe Township Parks for the use of Duffy Field, Gloucester County College for the use of their operational CERT trailer, NJ OEM for their training trailer and also for an operational trailer, Monroe Township OEM, the Gloucester County Fire Marshall for a Level II instructor and Monroe Township Library where classes were held. Mr. Wilt extended his appreciation to everyone for their efforts with this class; noting this is not the end, there will be more training.

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PRESENTATIONS *(cont'd)*

He noted from the training they received the members of this class could assist in an emergency situation such as the Boston Marathon bombing. He noted 29 students are Monroe Township residents, the rest of the students came from Gloucester County, Camden County, Cumberland County, Salem County and Atlantic County. Another program will be held in September and during the summer a faith based program will be held at one or two churches to get their members to become CERT Teams. The graduating class was invited to the podium. **Mayor Michael Gabbianelli** thanked and congratulated the class on their accomplishments. With the assistance of an interpreter **Anne Marie Rozycki**, of the New Jersey Association Of The Deaf, explained how her organization provides support and advocates for the deaf community in New Jersey. She noted she has been the coordinator for emergency preparedness for the deaf for approximately three years. New Jersey has approximately 800,000 deaf and hard of hearing people, which amounts to approximately 30,000 per county and a good portion of those people live by water or the ocean. The deaf community was not aware of how they would handle an emergency situation such as a hurricane so a group of us went through the CERT training, which was a fabulous experience. We worked with different agencies on communications accessibility if emergencies happened, making sure that there are closed captions available for the deaf community. We have come a long way in a short period of time. Now, we use text a great deal, we have face time on the telephone and all the new technology has really helped the deaf community stay involved. In the past that technology or resources were not available but now it has been a great asset for our community. Now, there is not much the deaf community cannot do, especially with the communication abilities. She extended her appreciation to Martin Wilt and Frank McLaughlin for their enthusiasm in working with her and for their willingness to set up the class for not only Monroe residents but also for those from other counties. Ms. Rozycki made a presentation to Martin Wilt on behalf of the New Jersey Association of the Deaf and Hard of Hearing and the New Jersey Division of the Deaf and Hard of Hearing. Mr. Wilt expressed his appreciation for this acknowledgement. **Cncl. Pres., Daniel Teefy** extended congratulations to the graduates of the first Monroe Township CERT Training Program and extended his appreciation to Martin Wilt and OEM Coordinator Frank McLaughlin for holding the class. The next class begins in September and those interested in the CERT Program can get additional information from the Township website.

- **Economic Development Commission - "Spotlight on Business"**
Ackerman & Hershmann Chiropractic

Tony Langella, Economic Development Commission Chairman along with member **Christine Feggans** was in attendance to introduce **Dr. Matt Hershmann**, Vice-President of the new Monroe Township Business Association. Dr. Hershmann noted he is approaching his first anniversary as a chiropractor in town after taking over Ackermann Chiropractic Center. The Ackerman name is well known in town, as Barry Ackerman operated the center since 1980 and his dad was a well known dentist in town before him. Dr. Hershmann explained he moved to Williamstown about three years ago during the time when Barry Ackermann was looking to retire and purchased the practice on May 16, 2012. Since that time he has been taking the grass roots approach of growing the business by becoming a member of the Williamstown Sunrise Rotary Club, by joining the business networking group that covers the Williamstown/Turnersville area and by taking part in the newly formed Monroe Township Business Association. Next year he is looking to become more involved with the Rotary Club, as vice-president. Dr. Hershmann noted he is also looking forward to his name becoming as synonymous with Williamstown as Dr. Ackerman's was for the past 30 years and would like the community to think of him when they think of a chiropractor. **Cncl. Sebastian** questioned where his facility was located. Dr. Hershmann noted his office is located in Williamstown Commons at 375 North Main Street, next to Jefferson Village Apartments. **Cncl. Pres., Teefy** welcomed Dr. Hershmann to town and wished him the best of luck in his business.

- **Arbor Day Proclamation**

Cncl. Pres., Daniel Teefy read into the record a proclamation recognizing Arbor Day in the township. This proclamation is part of the certification that designates Monroe Township as a "Tree City USA".

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MAYOR APPOINTMENT

Mayor Michael Gabbianelli appointed Rosemary Wohlford as a member to the Parks and Recreation Commission.

Cncl. Marvin Dilks made a motion to approve the appointment of Rosemary Wohlford as a member to the Parks and Recreation Commission. The motion was seconded by Cncl. Rich DiLucia and unanimously approved by all members of Council.

MAYOR REPORT

Mayor Michael Gabbianelli reported attending the 25th Anniversary Ceremonies for Juniper Village. He also reported beginning Saturday, May 4th, the Public Works Department will be open to residents on Saturdays from 8:00 AM to noon and will remain open on Saturdays as long as township employees are respected. He explained the yard was closed in the past when employees actually quit because of the abuse they were dealing with from residents. Beginning May 6th the Road Department will pick up grass clippings and continue the spring leaf pickup through the month of May. On Friday, May 3rd the Sunshine Foundation will hold their fundraiser "CINIO de Mayo" at the Knights of Columbus. The Mayor reported Council approved the 2013 municipal budget two weeks ago and in presenting the budget he was proud of the accomplishments of his administration. The budget is a result of years of proper planning, hard work and it represents the priorities and promises of this administration to provide top rate services to our residents. This year we were able to present a budget with no increase in expenses. Over the last ten years 40 full time positions have been eliminated but due to the struggles in the economy we are still walking on eggs. There is no mistake the economic climate, the recession and the stalled economy continues to put extraordinary pressures on our budget. Last year a committee of Council worked hard to cut health care cost, which saved us several hundred thousand dollars and that is the only thing that is keeping our heads above water. We continue to build parks with Parks and Recreation money and will continue to do the right thing for our children and for the taxpayers. Over the past few years the township has experienced an overwhelming amount of tax appeals due to the crash of the housing market and while we weathered that storm in the past this year many residents will feel its impact. As we work with the County Tax Assessor's office to stabilize our tax base we ask for your patience through this process. The Tax Assessor has told us by next year everyone will be readjusted so residents not readjusted this year will be done by next year. Property values will come down but then the tax rate goes up. The Mayor noted we are spending the same amount of money to maintain services and he promised that the administration is doing the best it can to manage and stretch tax dollars to their limits. He thanked Council for doing their due diligence, the Business Administrator Kevin Heydel, and the CFO Jeff Coles and everyone who took part in preparing the best budget possible. He noted he cannot speak for the schools or the county only for the municipal part of the budget.

APPROVAL OF MINUTES

Cncl. Ronald Garbowski made a motion to approve the minutes as submitted of the Council Work Session, Regular Council Meeting and Closed Executive Session of April 8, 2013. The motion was seconded by Cncl. Walter Bryson and unanimously approved by all members of Council.

B.) CORRESPONDENCE

- Carnival Permit - Holly Glen Elementary School - Spring Fair

Cncl. Ronald Garbowski made a motion to approve the Carnival Permit for Holly Glen Elementary School. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council.

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C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

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

R:92-2013 Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A:4-87 (JIF Safety Incentive Program)

Cncl. Ronald Garbowski made a motion to approve Resolution R:92-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

R:93-2013 Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A:4-87 (Drive Sober Or Get Pulled Over)

Cncl. William Sebastian made a motion to approve Resolution R:93-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

R:94-2013 Resolution Of The Township Council Of The Township Of Monroe, County Of Gloucester Establishing A Green Team Advisory Committee

Cncl. Walter Bryson made a motion to approve Resolution R:94-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

R:95-2013 Resolution Of The Township Council Of The Township Of Monroe Endorsing Sustainable New Jersey Land Use Pledge

Cncl. Ronald Garbowski made a motion to approve Resolution R:95-2013. The motion was seconded by **Cncl. Marvin Dilks** and unanimously approved by all members of Council.

R:96-2013 Resolution Adjusting Township Of Monroe Tax Records

Cncl. William Sebastian made a motion to approve Resolution R:96-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

R:97-2013 Resolution To Establish A Petty Cash Account For The Township Of Monroe, County Of Gloucester For The Year 2013 For The "Department Of Parks And Recreation"

Cncl. Rich DiLucia made a motion to approve Resolution R:97-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

R:98-2013 Resolution Appointing Member To The Monroe Township Board Of Health

Cncl. Ronald Garbowski made a motion to open nominations for a member of the Monroe Township Board of Health. The motion was seconded by **Cncl. William Sebastian** and unanimously approved by all members of Council by all members of Council.

Cncl. Walter Bryson nominated **Gerry Conte** as a member of the Monroe Township Board of Health. The nomination was seconded by **Cncl. Rich DiLucia**.

With no other nominations **Cncl. Marvin Dilks** made a motion to close nominations. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

**ROLL CALL VOTE ON NOMINATION OF GERRY CONTE AS A MEMBER TO THE
MONROE TOWNSHIP BOARD OF HEALTH - ALL AYES**

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent. Nomination of **Gerry Conte** as a member of the Monroe Township Board of Health was duly approved.

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C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION (cont'd)

R:99-2013 Resolution Approving The Bill List For The Council Meeting Of April 22, 2013

Cncl. Marvin Dilks made a motion to approve Resolution R:99-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

R:100-2013 Resolution Of The Township Council Of The Township Of Monroe In Support Of The Application Of Francis Schultz For The Development Of The Former Jamesway Site Within The Acme Redevelopment Area Otherwise Known As Block 11301, Lot 2.01

Cncl. Walt Bryson made a motion to approve Resolution R:100-2013. The motion was seconded by **Cncl. Rich DiLucia** and approved by all members of Council with the exception of **Cncl. Frank Caligiuri** who voted Nay.

R:101-2013 Resolution Adjusting Township Of Monroe Tax Records For Block 11902, Lot 15

Cncl. Rich DiLucia made a motion to approve Resolution R:101-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

R:102-2013 Resolution Authorizing Closed Executive Session Of The Township Council Of The Township Of Monroe To Discuss An Active Litigation Matter (*Simmermon v. Monroe Township and Report On Towing Ordinance*)

Cncl. William Sebastian made a motion to approve Resolution R:102-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

R:103-2013 Resolution Approving The 2013-2014 Gloucester County Community Development Block Grant Project Application For Drainage Improvements Near/On West Lois Drive In The Township Of Monroe, County Of Gloucester, State Of New Jersey

Cncl. Ronald Garbowski made a motion to approve Resolution R:103-2013. The motion was seconded by **Cncl. William Sebastian** and unanimously approved by all members of Council.

D.) ORDINANCES

Cncl. Pres., Daniel Teefy turned this portion of the meeting over to **Ordinance Committee Chairman, Cncl. William Sebastian**. **Cncl. Ronald Garbowski** made a motion to open the Public Hearing for Ordinance O:07-2013 and O:08-2013. The motion was seconded by **Cncl. Marvin Dilks** and unanimously approved by all members of Council. With no one wishing to speak **Cncl. Rich DiLucia** made a motion to close the Public Hearing. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

O:07-2013 Ordinance Of The Township Of Monroe, County Of Gloucester, New Jersey Canceling Certain Funded Appropriation Balances Heretofore Provided For Capital Improvements And Reappropriating Such Funded Appropriation Balances For Other Capital Projects

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Ronald Garbowski made a motion to approve Ordinance O:07-2013 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Walter Bryson**.

**ROLL CALL VOTE TO APPROVE ORDINANCE O:07-2013 FOR SECOND
READING AND PUBLIC HEARING - ALL AYES**

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent. Ordinance O:07-2013 was duly approved for Second Reading and Public Hearing.

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D.) ORDINANCES (cont'd)

O:08-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 74 Of The Code Of The Township Of Monroe, Entitled "Fees"

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Ronald Garbowski made a motion to approve Ordinance O:08-2013 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Walter Bryson**.

**ROLL CALL VOTE TO APPROVE ORDINANCE O:08-2013 FOR SECOND
READING AND PUBLIC HEARING - ALL AYES**

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent. Ordinance O:08-2013 was duly approved for Second Reading and Public Hearing.

E.) GENERAL PUBLIC DISCUSSION

Cncl. Marvin Dilks made a motion to open the General Public Discussion. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

Cheryl Ognissanti a resident of Diamond Lake approached Council to address her concerns regarding Trio Tavern. She explained she has pulled and reviewed, with a fine tooth comb, every permit and inspection for Trio Tavern. She spoke of frequent conversations with **Cncl. Caligiuri** and noted he has been very helpful and she appreciates his integrity and honesty with everything. She also spoke to Zoning Official **Fred Weikel** and **Fred Seeber** of the Pinelands Commission. Everyone is on the same page and has confirmed the paperwork requested verifies the outside structure that was supposed to be a deck is instead an illegal structure Trio Tavern built with a bar, plumbing and electricity. She spoke of how her community has suffered from the noise nuisance and the disturbances that came from that outside structure and how she is disappointed, upset and perplexed at how this could happen in a community that she has lived in for almost twenty years, raised her kids in, loves, has invested in and volunteers in. She noted she is a concerned resident and spokes person for at least twenty people of the Diamond Lake community. Several years ago she had a petition signed by the neighbors and came before Council on several occasions regarding the disturbances coming from Trio Tavern's outside illegal structure that Monroe Township passed. She spoke of how she found from requesting documents that Monroe Township was well aware of Trio illegally clearing wetlands for additional parking and of the illegal structure. She has copies of correspondences the Pinelands sent to Trio and Monroe Township as well as letters from the Township telling Trio what they would need to do. The Pinelands sent letters in 2006, 2007 and 2008 and never received a response or if they did, it was without proper documentation. She spoke of how Trio needed to complete an ABC place to place transfer application for the deck addition, of a correspondence from ABC saying they needed to reapply, of how they only obtained permits for a 30' by 40' deck with a roof and finding from her review of the permit information that no inspections were done on the footings. She spoke of having video evidence showing it is not a deck; but in fact, an enclosed pole barn structure built on the asphalt. It has an outside bar, a cash register, refrigerators and sinks with waste disposal systems that contaminate the wetland areas and there is documentation, that Monroe Township knew about it, but did nothing about it. Besides this illegal structure, waste issues, Board of Health issues from serving food and liquor on a pavement, occupancy violations from expanding seating and tables beyond the outside structure they also held various carnival like parties with outside bands. Her video evidence shows occupancy was clearly exceeded and cars were parked on both sides of the road shoulders where it clearly states "No Stopping or Standing". She also has evidence of police officers driving by looking at all of this but ticketing no one. She questioned when the favoritism for Trio Tavern will stop and why if every other resident in Monroe Township breaks the law they are fined or ticketed. The Trio Tavern is clearly out of compliance with permits, has violations and numerous State letters back and forth according to the paper trail of documents she has obtained and nothing has been done about it.

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E.) GENERAL PUBLIC DISCUSSION (cont'd)

She noted she told Cncl. Caligiuri that the damage was done, the community has suffered but now, Trio is rebuilding so where are we going from here. After looking into this and speaking to the Zoning Office, Mr. Caligiuri reaffirmed to her, that yes this was an illegal structure, as it was supposed to be a deck not an outside bar and now that we know about it, we assure you that this will not happen again. Ms. Ognissanti noted she is here at a public, televised meeting to document and let Council know that she will continue to pursue the peace and tranquility that she and her neighbors pay for and enjoyed for many years when it was Jack and Betty's Tavern. She spoke of going to mediation with the owners of Trio Tavern because the community wanted to be decent neighbors by meeting 50% of the way and they didn't want to take the issue to court. She noted there was no resolution, the owners of Trio were going to do what they wanted to and to this day they are arrogantly bragging that they know the system and will put up an outside bar again and worry about the consequences later. Ms. Ognissanti noted she and her community would like to be reassured that Trio's illegal structure will not be put up again. She noted she will not go away and will stand firm to ensure that her community is given a fair shot so everyone can sleep at night without hearing the blaring noise from the all night bashes at Trio. She noted she is disgusted with the situation and would like some feedback from the members of Council who are honest, upstanding men who have integrity when dealing with situations like this. She questioned where she should go and how she should follow-up to ensure her community that the legal channels will be followed, enforced and proper inspections done. She noted today she spoke to Jim Morrison who said he was sorry he didn't realize this place was such a burden and nuisance since he was not the building inspector when this happened. She noted during renovations the previous building inspector along with other inspectors with expertise in certain areas had a hand in inspecting the Trio Tavern; however, no inspections or permits were done for the outside structure. The whole bar and seating entity was completely illegal from its setup, to the permits, to the extra occupancy to the enclosed deck. She spoke of the Pinelands Commission being concerned with the preservation of the water system and how the Health Department was not aware that this bar was planning to install drainage systems for sinks and septic capacities for over occupancy in July of 2005 when they gave a satisfactory sanitation inspection report on the septic and well. The insurance liability with this illegal structure perplexes her as well. Monroe Township allowed this structure jeopardizing whoever frequents the bar and if the insurance company doesn't know the structure is illegal and someone gets hurt there, it could be an issue for Monroe Township, which is supposed to protect the public from misleading business owners. She spoke of having a video that she would be glad to share showing parties at Trio with blatant public drinking a foot from the shoulder of the road, venders and music from speakers as large as refrigerators blaring music all day long on a Sunday and parking along the highway that endangers residents pulling out of Sharps Road. She noted from all the information she requested she found no record of any permits for vending or live outside entertainment. The two bar owners tell patrons they are doing everything legally under an entertainment permit when actually that permit simply states they are allowed to have pinball machines and gaming electronic devices from a vending company. It does not give them permission to have outside shindigs the size of carnivals, with outside food carts and outside venders. She noted the Wetlands Department is very upset that they cleared wetland areas that were supposed to buffer 300 feet off their property and they sent a letter to the township as well as to the bar owners telling them they need to draw up and resubmit plans. In closing Mrs. Ognissanti extended her appreciation to Council for hearing her concerns and requested feedback on what should be done to ensure that this will not happen again, that the proper channels will be followed and that the proper inspections will be done on the building renovations because they have again started to build and renovate without following the proper channels. They got permits and were supposed to apply to the Pinelands and Wetlands prior to putting up their new structure, but they didn't do that. Her community is in fear that these gentlemen have no concept of consequences or accountability, as they have a confidence and entitlement to do what they want as business owners. She questioned as stakeholders where does the community go from here. Cncl. Pres., Teefy commended Mrs. Ognissanti for doing a tremendous fact finding job, as it would have taken Council a long time to gather that information if they were to pursue this. He noted Mrs. Ognissanti has listed many different items and made many claims. He felt the issues should be reviewed one by one by the Council Administration Committee to ensure things are done properly. The Administration Committee members are Cncl. Garbowski, chairman and Cncl. Caligiuri and Cncl. Sebastian. Solicitor Fiore questioned

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E.) GENERAL PUBLIC DISCUSSION (cont'd)

if Mrs. Ognissanti has reviewed the current permits that were issued. She indicated she did and called Mr. Weikel to inform him that they are starting construction. Mr. Fiore questioned whether a zoning permit was issued for the outdoor bar. Mrs. Ognissanti replied no, nothing has been issued for the outside bar. They are trying to get Pineland approvals but ran into a little glitch with that. Mr. Fiore questioned whether the permits she reviewed deal with the existing structure being rebuilt. She replied no and to her surprise the new construction permits she pulled and reviewed did not match her video taken during each phase of construction. The permit clearly stated a large section of the roof was to be replaced but they removed the entire roof. It also said two walls needed to be saved to prove they are building within the existing structure so new taxes would not be imposed. Mrs. Ognissanti noted she is in contact with the Pinelands on a weekly basis and has received copies of all correspondences they sent. Mr. Fiore questioned who Mr. Seeber copied his letters to in the township. Mrs. Ognissanti replied they were sent to the township. The Township then sent Trio Tavern a letter (*on Monroe Township letterhead*) stating a correspondence was received from the Pinelands and Trio had to follow Monroe Township's Land Ordinance that aligns with the Pineland Ordinance. Mr. Fiore requested Mrs. Ognissanti send copies of all the documents she has to the clerk so copies can be made for him and Council to review. Mrs. Ognissanti indicated she would electronically forward all the documents she has.

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

CLOSED EXECUTIVE SESSION

Solicitor Fiore reported Council just concluded a discussion in Closed Executive Session regarding current and pending litigation. No action will be taken by Council this evening in respect to that litigation.

F.) REPORTS AND OTHER MATTERS

Cncl. Walter Bryson reported the Historical Society is holding a Historical Fashion Show and Luncheon on Saturday, May 11th from 11:30 AM to 2:30 PM at the Pfeiffer Center. The cost is \$25.00 per person and all proceeds will benefit the restoration of historical buildings. For additional information or reservations residents can call 856-875-2943 or 856-629-3368. Cncl. Bryson reported the Ireland House is open on Saturdays and he invited residents to visit the new exhibits, to become members of the Historical Society (cost \$5.00) and to attend their meetings held at the Ireland Hofer House on the first Thursday of each month at 7:00 PM. Volunteers are still needed to assist with restoration projects and he urged residents to call 856-875-2943 to help the Historical Society keep the history of Monroe Township alive while having some fun at the same time. Cncl. Bryson reported attending the Parks and Recreation Meeting where plans were discussed for the Music Festival that is to be held Saturday, June 1st. This year the Music Festival will be held at Owens Field and will include additional bands, vendors and fireworks. He reported through the hard work of many volunteers the senior baseball field is now a beautiful addition to our recreation complex complete with flags in the outfield for each of our township schools. He urged residents to encourage their children to enjoy all the parks and recreation complexes and to attend a baseball game even if their children are beyond the age to play as our facilities are better than ever. Cncl. Bryson extended his appreciation to the Williamstown Sunrise Rotary for sponsoring a second children's stage for the Music Festival. He urged residents to help the Rotary raise funds during their 5th Annual Golf Tournament that will be held on May 13th (rain date Monday, May 20th) at the Wedgewood Country Club in Turnersville, as they support many township activities. For additional information residents can call Don Kensey at 856-740-2200.

Cncl. Frank Caligiuri reported on Wednesday, May 15th the Gloucester County 4H is sponsoring the Zerbini Family Circus. Shows begin at 5:00 PM and 8:00 PM at the 4H Nature Preserve on the Black Horse Pike. He noted he went to that circus last year and it was a lot of

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F.) REPORTS AND OTHER MATTERS (cont'd)

fun. On Saturday, May 18th the 4H is holding a yard sale at the Nature Preserve from 8:00 AM through 3:00 PM. Cncl. Caligiuri stated during the Caucus Meeting one of his colleagues made an accusation on record that I was guilty of some ethics violation. He noted all ethics violations must be reported to the Department of Community Affairs, as it would be an ethics violation not to report it. (Cncl. Caligiuri requested the Solicitor to correct him if he was wrong) He urged the Solicitor to give the proper protocol for lodging that complaint because it must be reported with all the proper documentation so there is no question about it. Mr. Fiore indicated he would look into it and apprise Council. Cncl. Caligiuri noted he wanted to point out why he voted against R:100-2013 that was in support of a used auto parts store in the former Jamesway Shopping Center. He explained redevelopment is the only part of the land use law that falls under the purview of Council and is intended to supersede existing zoning. It provides an overlay of all the existing zoning allowing Council to take a particulate piece of the community and change the zoning to fix it with some professional advice. All other zones fall under the administrative branch. Over the course of eight years we came up with three redevelopment zones, one is the Mink Lane Redevelopment zone located at the landfill on Sicklerville Road, the second is the Acme Shopping Center and the area across the street and the third is located at the Remcor facility. At the Mink Lane site there was an agreement made between one of the landowners and the redeveloper of record, Land Resource Solutions, but the administration did not approve of that agreement so that fell under the wayside and now the landfill redevelopment site is being held up in pollutions issues. At the Remcor site we settled for a redeveloper that simply put in commercial. We did that knowing that site was prone to become industrial to some extent and it did turn into a reasonably good tax base. The Acme Redevelopment site originally included both sides of the Black Horse Pike but that plan, which Council authorized the planner to develop, at the expense of taxpayers, had to be split in half because the developer on the other the side of the pike was ready to move forward. The owners of the Acme Shopping Center side were weeding out the results of the Wal-Mart and the retail being proposed across the street before they would agree to do anything. Council decided to split the Acme Redevelopment Zone in half and assign a redeveloper to the portion across the street, which was approved to become Williamstown Square. A big box store was supposed to go in there and the redeveloper of record had to acquire additional property and then plan out the expansion of the Black Horse Pike. Left within the Redevelopment Plan for the entire Acme Shopping Center was a component that was kind of an incentive for the original redeveloper to develop the entire site and that included a residential component. As chairman of the Redevelopment Committee last year, Cncl. Caligiuri noted he put a high priority in getting that residential component substantially reduced rather than pursue redevelopment on that side of the road. At that point in time that residential component was prohibitive, it was no longer necessary and there was no reason to give the redeveloper for the Acme side any kind of incentive because we had already given an incentive in the form of a PILOT to the redeveloper on the other side of the pike. So then the governing body commissioned our planner to create though the Planning Board a revised redevelopment plan for just the Acme Center and the taxpayers paid for what is called the Acme Redevelopment Plan Third Amendment, which included an overlay for expanding Main Street. The cost of expanding Main Street, putting in an intersection and creating other pad sites would be borne by a potential redeveloper who would then pass that cost on to his tenants. We were set to go ahead with this. Cncl. Caligiuri noted his plan, had he been reassigned to the Redevelopment Committee, was to create architectural standards for redevelopment zones in general and also create traffic control standards. Cncl. Dilks and Cncl. Garbowski, who were on the committee with him, knew that was the plan going into this year. The third logical thing to do would be to send the plan out for Requests for Proposals and hopefully, after the architectural and traffic control standards were in place, we would get a redeveloper like Metro Commercial that routinely puts in shopping centers. Cncl. Caligiuri displayed photographs of Route 130 in Pennsauken and noted that is what happens in the absence of redevelopment. Tenants do whatever they want; there is no traffic control and many empty spaces with no stores that attract other stores or buyers to the area. People who want to shop at any of the stores on Route 130 have problems pulling in and out of them because there is no traffic control in place. Cncl. Caligiuri also displayed pictures of the Promenade in Marlton and noted that is what happens when a redeveloper is employed. There are stores that naturally attract shoppers of the same kind and there are architectural standards that make it attractive to good tenants who are willing to spend a lot of money for rentals and that subsequently creates more tax revenue because property values go up. He

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F.) REPORTS AND OTHER MATTERS (cont'd)

noted Kernan and Associates spoke to him about taking a trip to see this area to see how much better it is when stores attract one another. He explained the reason he did not vote in favor of Resolution R:100-2013 is because it basically took the redevelopment plan, that residents paid for and Council authorized, and said, "no we would rather have in its place a single developer" because the idea is to get any kind of retail there. The single developer is traditionally an operator of junk yards, he sells used auto parts and what he is proposing for the old Jamesway Building is to put in a used auto parts store. The developer painted the picture of it being perhaps like a Pep Boys but this particular person has no experience in merchandising, he has never bought a fixture or new parts inventory. Cncl. Caligiuri noted he asked the developer if he intended to take over the redevelopment responsibility for the entire site so that he could incorporate the cost of relocating Main Street in the project and take responsibility for renting all the stores. Cncl. Caligiuri noted he could not imagine who would want to locate next to a used auto parts store unless he had plans for a motorcycle shop or something that would logically locate next to a used auto parts store. The developer did not express any interest in doing that, which is the reason why he (Cncl. Caligiuri) voted against R:100-2013 and feels we should continue to go along with the plan. He noted in January when Cncl. Bryson was assigned the Redevelopment Committee chairman he emailed him offering to tell him where the Redevelopment Committee had left off but between now and then, Cncl. Bryson has not had time to meet with him. He noted hopefully, the Planning Board will uphold the standards of the Redevelopment Plan and refer the store owner to a redeveloper that will take responsibility for the entire plan that we paid a whole lot of money for, as it would be a shame to throw it out the window. Cncl. Caligiuri reported attending the Environmental Commission meeting held on April 15th. The Commission has been working on a Community Forestry Management Plan, which was initiated in 2007 and is helping Monroe Township identify, care for and enjoy the vast tree resources through awareness education and community involvement as a Tree City USA. He commended the Environmental Commission for that program and noted they have also applied to the State for a Sustainable New Jersey Certificate. He noted he is hopeful the township continues to move ahead on behalf of the Environmental Commission to get those certifications, as that program offers tremendous advantages for project training, workshops, technical support, green teams and many other resources. Cncl. Caligiuri reported attending a Safety Committee Meeting on April 17th; noting the Council President had alluded to what happened during that meeting. He noted during the Work Session Meeting he talked about health insurance for elected officials and unfortunately, was accused of many things for bringing that up. His hope is quite genuine that Council can take an objective look at the issue because he does not have the answer to whether elected officials on a local level should or should not have health insurance benefits and he is not going to pass judgment on whether it is right or wrong. He went onto say that this issue affects him and he feels he shouldn't have them but whether it is right or wrong is a matter of opinion and he respects that. He spoke of the governor saying elected officials should not necessarily have health benefits, of how he included that in his best management practices and published a newsletter about it. He pointed out that Washington Township elected officials voted to eliminate their own health insurance benefits and indicated he is hoping Council will take an objective look at this issue and do what is appropriate for our community. Cncl. Caligiuri spoke of sending Jerry White, Gloucester County Deputy Administrator an email on December 12th requesting an update on the location of the County sponsored communications tower proposed in Ward 4. Mr. White never responded to that email so a follow up was sent on January 28th via fax. Once again Mr. White did not answer. Cncl. Caligiuri noted during the week of April 15th he received a call from Freeholder Larry Wallace, who stated he would look into this. Cncl. Caligiuri noted as a Democratic Councilman he was quite surprised to receive a call from a Republican Freeholder. He gave kudos to Freeholder Wallace for extending the olive branch and deciding to look into this, apparently after reading minutes from our meetings. Cncl. Caligiuri mentioned Ordinance Chairman Sebastian agreed to place the issue of elected official's healthcare benefits on an Ordinance Committee Meeting agenda and noted he appreciates that, because reviewing the issues is the right thing to do.

Cncl. Marvin Dilks reported on April 5th the Mayor and Council received a correspondence from Remington and Vernick Engineering Firm on behalf of South Jersey Transportation Authority advising that the Atlantic City Expressway Bridge on Malaga Road will be shut down for two months for bridge resurfacing. The project will begin in mid June

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once school is out and the buses are no longer running. Meetings have been held with representatives of Gloucester County and the Monroe Township Police Department, detour signs have already been set up and message boards will be set up seven days prior to the road being shut down. Cncl. Dilks recommended people who utilize Malaga Road choose another route into Camden County or Winslow Township while the project is underway.

Cncl. Rich DiLucia reported terrorism showed its ugly hand again this week in Boston and on behalf of Council he would like to send condolences to families who lost loved ones, prayers to the people hospitalized and recognize the first responders for their courageous involvement in that horrific event. Once again the price of democracy has been demonstrated. Terrorists don't like our way of living, the idea that there is democracy in this country, which allows us to argue different issues we believe in without reprisals. It is not easy to take an unpopular position but if you take it in the context of our democracy there is no greater thing anywhere than what we enjoy. The lives of our service men overseas and our first responders, firemen and police are in danger everyday against enemies that are unpredictable. What happened in Boston is the price we pay and will continue to pay for the kind of government we enjoy. Cncl. DiLucia noted he is tempted to respond to Cncl. Caligiuri's remarks regarding the Redevelopment Committee, which he is a member of and on the issue of insurance but the prudent thing to do tonight is to reserve his remarks because all that would do is give a stage for what that gentleman wants. He noted he will be more than glad to debate those issues in a much larger forum than we have here tonight. Cncl. DiLucia felt an attempt was made to shame and embarrass every councilman here and if he (Cncl. Caligiuri) felt he did that, than he accomplished his goal. Cncl. DiLucia noted five years ago when he took the oath of office as a councilman he said he would tell people the truth and would openly say what he believed and he intends to do that. He noted he will not hide on this issue, is not afraid of it and when the right time and place comes up, it will be dealt with. He noted tonight he chose not to deal with it and will see where this issue goes from here.

Cncl. Ronald Garbowski reported attending the Library Board Meeting on April 17th. The Library Board is still soliciting input for new Library hours and he urged residents to call or email the Library staff. The intent is not to increase hours but to reallocate hours to meet the majority of the needs of our residents. On May 22nd the Library will be hosting "Library Night" at the Library IV Restaurant. Ten percent of the cost of a meal will be donated to the Library when a coupon is presented at the end of the meal. Those interested in attending should make reservations at www.libraryiv.com or by calling 856-728-0425. The Library will also be hosting "Bonsai Night" a free presentation on the art of bonsai, on Monday, May 13th at 7:00 PM. Those interested in attending should contact the Library at 629-1212 to make a reservation.

Cncl. William Sebastian reported the LEPC (Local Emergency Planning Committee) meeting was postponed to May 1st to discuss security for the June 1st Music Festival. Cncl. Sebastian also announced a Beef and Beer will be held on Saturday, April 27th at Masso's Columbus Manor. This event is sponsored by J-Walker's for the Cure with proceeds benefiting Susan G. Komen for the Cure 3-Day. Tickets are \$35.00 each or two for \$60.00 and a table of ten is \$300.00. Anyone interested in attending can see him or contact Jill Simmermon for tickets. Cncl. Sebastian responded to Cncl. Caligiuri's comments regarding the Redevelopment Zones. He noted in the years the Redevelopment Zone was in effect we have gotten taller weeds and a Dollar Store. Although we were opposed to the dollar store, it was allowed by court order because it was a commercial entity in an existing commercial building. This is similar to Jamesway being a commercial building and a commercial entity looking to reside within that building. This issue will go before the Planning Board and that Board will place whatever legal restrictions they can on this individual or the matter will end up in court. Out of three Redevelopment Zones (Remcor, Acme, Mink Lane) we have technically one left and although the R & D property is listed as the Acme Redevelopment Zone it does not have a developer of record. Across the street there is a developer of record for what is going to be Williamstown Square. The Mink Lane Redevelopment site was deemed by the courts to not have sufficient reasons to be a redevelopment zone so that has to be removed from the rolls. Solicitor Fiore added the Mink Lane site is not considered a blighted area under the legal interpretation. Cncl. Sebastian noted last year the Committee requested Council to rescind the Remcor

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Redevelopment site. That was done so technically, Council is dealing with only the Acme Redevelopment Zone site on the Black Horse Pike. The Acme side is owned by R & D Corporation out of New York and the area across the pike (*Williamstown Square site*) is owned by the Benderson Group with Stewart Wainberg. The Redevelopment Committee has dealt with Stewart and he will be attending our next Ordinance Committee Meeting in regards to the Redevelopment Zone.

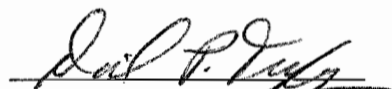
Cncl. Pres., Daniel Teefy reported attending the MMUA Meeting. The MMUA had an idea for a new logo and held a Logo Contest for students at Williamstown High School. Thirty-five students from Mr. Garrick's graphic design class entered and out of those entries Sky Johnson, a senior, was selected to win the \$250.00 VISA Gift Card for her beautiful graphic design. The new logo will be placed on MMUA trucks and letterhead and also on water tanks when they need to be repainted. Cncl. Pres., Teefy noted Cncl. Caligiuri presented some things and stimulated conversation, which is good. He held up some Redevelopment Plans and said they were good plans, which is kind of hypocritical because on January 24, 2012, he held up the same plans and said they were trash. Cncl. Pres., Teefy asked, so are they good plans, or trash, because the way he understands it, they were trash. Cncl. Pres., Teefy noted the plans came from you (Cncl. Caligiuri) who was on the Redevelopment Committee and sitting member on the Planning Board.

G.) ADJOURNMENT

With nothing further to discuss Cncl. Walter Bryson made a motion to adjourn the Regular Council Meeting of April 22, 2013. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Susan McCormick, RMC
Municipal Clerk


Presiding Officer

These minutes were prepared from excerpts of the tape-recorded proceedings of the Regular Council Meeting of April 22, 2013 and serve as only a synopsis of the proceedings. 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 *SW*
Approved as corrected _____

Date 5/13/13
Date _____