

MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
AUGUST 26, 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. Rich DiLucia led the assembly in the Pledge of Allegiance to Our Flag and **Jeffrey Tilden** of Cross Keys United Methodist Church 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		Excused
Solicitor, Charles Fiore	Present	
Business Adm., Kevin Heydel	Present	
Engineer, Chris Rehmann	Present	
Dir. Finance, Jeff Coles		Excused
Dir. Of Code Enforcement, George Reitz		Excused
Dir. Of Public Safety, Jim Smart	Present	
Dir. Of Public Works, Bob Avis	Present	
Township Clerk, Susan McCormick	Present	

PRESENTATIONS

Cncl. Pres., Teefy noted Monroe Township Little League had an exciting year with the girl's softball team and the boys 9-10 year old tournament baseball team making history for the township. He extended his appreciation to the Monroe Township Little League board members for organizing the events and to the coaches and the parents for traveling throughout New Jersey and up to Rhode Island to play. It was an exciting time and the teams did a tremendous job.

- **Monroe Township Little League Senior Softball Team Manager and Coaches**

Cncl. Pres., Teefy and **Cncl. Marvin Dilks** presented Certificates of Recognition to **Manager Tony Bannister** and **Coaches Steve Jenkins** and **John Kennedy** in recognition of the Monroe Township Little League Senior Softball Tournament Team winning the "2013 Senior Softball New Jersey State Championship".

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PRESENTATIONS (cont'd)

- **Monroe Township Little League Senior Softball Tournament Team**

Cncl. Pres., Teefy and Cncl. Marvin Dilks presented Certificates of Recognition to Taylor Hobbs, Samantha Huff, Breana Graff, Sarah Kennedy, Brianna Erasmus, Allison Dowd, Gabrielle Jackson, Janai Williams, Casey Osterdahl, Brooke Schiesser, Madison Jenkins, Lindsay Przywara, McKenna Boyd and Nicolette Gentile, for winning the "2013 Senior Softball New Jersey State Championship". The team was the first in the sixty-two year history of Monroe Township Little League to win a State championship.

- **Monroe Township Little League 9-10 Baseball Team Manager and Coaches**

Cncl. Pres., Teefy and Cncl. Marvin Dilks presented Certificates of Recognition to **Manager Jim Love** and **Coaches Mark Wichrowski** and **Bob DiDonato** in recognition of the Monroe Township Little League 9-10 Year Old Baseball Tournament Team winning "The New Jersey District 21 9-10 Championship and the Mid-Atlantic Regional Championship"

- **Monroe Township Little League 9-10 Year Old Baseball Tournament Team**

Cncl. Pres., Teefy and Cncl. Marvin Dilks presented Certificates of Recognition to Dillon Love, Brett Wichrowski, Joey Racobaldo, Jarred Reis, Bobby DiDonato, Ryan Achey, Dougie Brown, Caden Dulin, Jack Murtha, Frankie Kopaczewski, Jon Wood and Lucas Dinger, for winning "The New Jersey District 21 9-10 Championship and the Mid-Atlantic Regional Championship". The team is the first boy's team in the sixty-two year history of Monroe Township Little League to win a State championship.

Jim Love, Coach of the boy's team extended appreciation to the Mayor and Council for the recognition and to all the parents, coaches and everyone else that was involved in making this happen. He noted hopefully in two more years we will be standing here again.

- **Monroe Township Little League President Nick Fortunato**

Cncl. Pres., Teefy presented **Nick Fortunato**, President of the **Monroe Township Little League Association** with a proclamation in recognition of twenty-six years of dedicated service to that organization. His service included over eighteen years as league president, two years as vice-president and six years coaching. **Bob Smith**, Vice-President and game announcer for Little League extended his appreciation to Nick. He noted Monroe Township Little League has been here since 1951 and Nick has performed most of the duties involved in the organization over the years. Nick has a twenty-two member board of directors that he oversees, is the umpire and chief and schedules every game for 86 to 100 teams. Mr. Smith extended appreciation to Nick on behalf of the entire organization for his service over the years and for the teams winning the State Championship games. **Nick Fortunato** extended his appreciation for the recognition given to him and went on to express his appreciation to the teams for bringing home the State Championships and making the board of directors and everyone else proud of their accomplishments. He noted the girl's team is only losing three players next year and the boys are only nine and ten so we can bring it all home again.

At this time Cncl. Pres., Teefy took a short recess to allow the teams and their families to take pictures and leave the meeting.

APPROVAL OF MINUTES

Cncl. Ronald Garbowski made a motion to approve as submitted the minutes of the Council Work Session and Regular Council Meeting of July 22, 2013. The motion was seconded by Cncl. William Sebastian and approved by all members of Council with the exception of Cncl. Marvin Dilks and Cncl. Rich DiLucia who Abstained.

B.) CORRESPONDENCE - None

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C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

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

Betty Sanchez, approached Council regarding the School Resource Officers assigned to the Middle School and Williamstown High School. She questioned whether the two officers would be paid \$90,000.00 for nine months of work, as she felt that was an outrageous salary. **Business Administrator, Kevin Heydel** explained that covers the salary, their benefits and the cost of their equipment. Ms. Sanchez questioned what the \$435.00 for each officer was. Mr. Heydel explained the Board of Education is purchasing the services of our police officers and that is a charge if the agreement between the board and the municipality is cancelled. Ms. Sanchez questioned whether the people of the township are notified of this and do they have any say in hiring police officers at these rates. Mr. Heydel explained the rates police officers are paid are determined through collective bargaining agreements negotiated between the Administration and Police Officer's Association the same way all other employee contracts are negotiated. **Solicitor Fiore** explained the township does not hire these police officers just to work in the schools. These are existing police officers that the Board of Education compensates the township for. The \$90,000.00 a year is the cost of service to provide an existing, experienced police officer and that service is invaluable. The two school resource officers have worked in the schools for the last ten years and are township residents respected by the children in the school district. Mr. Fiore noted he could only speak on behalf of his own children but the children talk to these officers like they are uncles or family members they can confide in. The officers are not just people hired off the streets; these are existing police officers trained to work in the schools to protect the children. The \$90,000.00 includes pension, health and welfare benefits, their vehicles and equipment. Ms. Sanchez indicated that clarified the issue for her.

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

R:158-2013 Resolution Canceling Grant Receivable Balance "*HDSRF - American Training Site Grant*"

Cncl. Walter Bryson made a motion to approve Resolution R:158-2013. The motion was seconded by **Cncl. Rich DiLucia**.

Cncl. Walter Bryson questioned since the grant is being closed out does that mean everything has been cleaned up. **Engineer Dave Cella** explained all the work associated with that original grant has been completed and the balance is cancelling out. **Mr. Heydel** explained the account balance is approximately \$100.00 and is being cancelled, as the money was not utilized. Mr. Cella noted the township will be applying for additional grants to clean up that site.

Resolution R:158-2013 was duly approved by all members of Council.

R:159-2013 Resolution Adjusting Township Of Monroe Tax Records

Cncl. William Sebastian made a motion to approve Resolution R:159-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

R:160-2013 Resolution Of The Township Council Of The Township Of Monroe Supporting The Drive Sober Or Get Pulled Over 2013 Statewide Crackdown

Cncl. Marvin Dilks made a motion to approve Resolution R:160-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council.

R:161-2013 An Interlocal Services Agreement Between The Township Of Monroe And The Monroe Township Board Of Education For School Resource Officer Services For The School Year 2013-2014

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

Cncl. Ronald Garbowski made a motion to approve Resolution R:161-2013. The motion was seconded by Cncl. Walter Bryson and unanimously approved by all members of Council.

R:162-2013 Resolution Authorizing Closed Executive Session Of The Township Council Of The Township Of Monroe To Discuss Simmermon V. Monroe Township Litigation, Marissa Estates Bonding Litigation And Status Report On Carriage Glen **REMOVED FROM AGENDA**

R:163-2013 Resolution Authorizing Cancellation Of Property Taxes For The Streams Of Life Fellowship Church

Cncl. Ronald Garbowski made a motion to Table Resolution R:163-2013. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council.

R:164-2013 Resolution Authorizing The Acceptance Of An Irrevocable Standby Letter Of Credit In The Amount Of \$381,658.00 For Cross Keys Pavilion, Site Plan # SP-444 PS-1, Block 101, Lot 3.02 (Commercial Site)

Cncl. Walter Bryson made a motion to approve Resolution R:164-2013. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council.

R:165-2013 Resolution Awarding A Contract For Professional Services To Omni Recycling LLC, For The Township Of Monroe, County Of Gloucester, State Of New Jersey

Cncl. Ronald Garbowski made a motion to approve Resolution R:165-2013. The motion was seconded by Cncl. Marvin Dilks and unanimously approved by all members of Council.

R:166-2013 Resolution Authorizing The Township Of Monroe To Enter Into A Takeover Agreement With American Southern Insurance Company And Patriot Communities, LLC For Completion Of Site Improvements At Marissa Estates

Cncl. Marvin Dilks made a motion to approve Resolution R:166-2013. The motion was seconded by Cncl. Frank Caligiuri

Solicitor Fiore explained the original scope of work that was circulated to Council did not include a provision dealing with results from videotaping the storm sewer. The videotaping resulted in some damaged HTPE pipe under the ground so that will be attached as additional items in the scope of work.

Resolution R:166-2013 was unanimously approved by all members of Council.

R:167-2013 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Settlement In The Litigation Captioned "John G. Simmermon, III, Et Al. VS. Monroe Township Et AL." Civil No. 09-CV-5880

Cncl. Marvin Dilks made a motion to approve Resolution R:167-2013. The motion was seconded by Cncl. William Sebastian.

Solicitor Fiore explained this is a negotiated settlement by the insurance carrier on behalf of the township. This resolution authorizes the settlement of a million dollar payout that will be paid through the insurance company. The first \$335,000.00 payout is payable within fifteen days of this agreement in 2013, the second installment is \$335,000.00 payable within the first ten days of January 2014 and the final installment of \$335,000.00 is payable within the first ten days of January 2015.

ROLL CALL VOTE TO APPROVE RESOLUTION R:167-2013 - ALL AYES

Tally: 7 Ayes, 0 Nay, 0 Abstain, 0 Absent. Resolution R:167-2013 was duly approved for adoption.

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

R:168-2013 Resolution Of The Township Council Of The Township Of Monroe Supporting Ovarian Cancer Awareness Month

Cncl. Ronald Garbowski made a motion to approve Resolution R:168-2013. 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**.

O:11-2013 An Ordinance Of The Township Of Monroe Establishing Regulations For Small Wind Energy Systems And Solar Energy Systems

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Ronald Garbowski made a motion to approve Ordinance O:11-2013 for First Reading and Publication. The motion was seconded by **Cncl. Walter Bryson** and approved by all members of Council with the exception of **Cncl. Frank Caligiuri** who **Abstained**.

O:12-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 162 Of The Code Of The Township Of Monroe, Entitled "Housing Standards"

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Marvin Dilks made a motion to approve Ordinance O:12-2013 for First Reading and Publication. The motion was seconded by **Cncl. Frank Caligiuri** and unanimously approved by all members of Council.

O:13-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 295 Of The Code Of The Township Of Monroe, Entitled "Nuisances"

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Rich DiLucia made a motion to approve Ordinance O:13-2013 for First Reading and Publication. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council.

E.) REPORTS AND OTHER MATTERS

Cncl. Walter Bryson congratulated the girl's softball team and the 9-10 year old boy's baseball team for their historical accomplishments in winning the titles for Monroe Township, Gloucester County and the State of New Jersey. He noted another historical occasion was back in 1846 when the first organized baseball game was played in Hoboken, New Jersey. **Cncl. Bryson** reported Gloucester County will hold a Memorial Service on Wednesday, September 11th at 8:30 AM at the Place of Reflection 911 Memorial located in the Chestnut Branch Park on Main Street in Mantua. The Memorial is a tribute to Gloucester County residents **John Rodak, Nicholas W. Brandemarti, Perry Thompson**, and all of those who lost their lives during the attack on America on September 11th 2001. **Cncl. Bryson** noted in looking at the world today we see many bad things going on. Weapons are being used throughout the world to kill people, such as in Syria and as a person who studies history his hope is that we have the means to fend off what may be going to happen if we get involved in some of these serious situations. In Fatima, Portugal in 1917 predictions were made that people would be persecuted and that is happening today in the Middle East. He noted he hopes that we in America, the world and

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

specifically the Christian world will pray for peace because things are getting worse and more confused. This situation in the Middle East could flare up to be World War III and he urged everyone to pray for a resolution, for our leaders, religious leaders, the Christian Church and specifically the Catholic Church to do what was requested in 1917 in Fatima.

Cncl. Frank Caligiuri congratulated the Senior Softball Team for winning the State Championship and the 9-10 Year Old Baseball Team for winning the Regional Championships; noting our children never cease to make us proud. Cncl. Caligiuri again pointed out that he sent an email on December 12, 2012 to Jerry White, Gloucester County Deputy Business Administrator, inquiring about a proposed communications tower in Monroe Township and todate has not received an answer to that email. The email was followed up by a fax to Mr. White on January 28, 2013 and no response was received to that either.

Cncl. Rich DiLucia also congratulated the boy's baseball team and the girl's softball team for their accomplishments. Cncl. DiLucia referred to Cncl. Bryson's report regarding the 1846 baseball game played in Hoboken and humorously noted he has memorabilia and during that game Dan Teefy was the shortstop and Marvin Dilks was the catcher and both batted in the low 100's. Cncl. DiLucia expressed his concerns over the controversial issue of Congress deciding to slash money from the budget by making a 17% cut to the food stamp program beginning in November. Many people who are fortunate enough to be working without facing layoffs, job cuts or plant closures feel food stamp recipients are just milking the system. Some are doing that, but, should everyone be punished for the few criminals that are found when the fact remains, homes are still being foreclosed upon and many people are unemployed collecting unemployment or have utilized all their unemployment benefits. Those people would never have wanted to collect food stamps but due to no fault of their own they are now collecting them and a 17% cut in that program is a disgrace. If abuse of the system is their concern they should spend time and effort eliminating that abuse not punishing the people that really need this food subsidy, as many are children. He expressed his concerns that Congress can do this but they don't dare increase the taxes on the wealthy, as that may mess up the economy, which is already messed up. Cncl. DiLucia also reported people have been questioning him regarding the deregulation of electric and gas in the State. He cautioned everyone to be very careful in getting involved in an agreement with any company that offers a variable rate because many companies are giving teaser rates and then over the course of time that rate goes up to the point where it far exceeds rates of other providers. Companies also give set rates for one or two years but those contracts have very stringent provisions that require notification upon termination so many days before the expiration of that term and if you miss that you automatically get rolled into a variable rate for another year or two. Cncl. DiLucia noted he reviewed the rates of companies and Atlantic City Electric is one of the most competitive rates right now at 10.23¢ while variable rates are up to 12¢ He encouraged residents to review their electric bills to see what rates they are paying because it could make a difference of \$40.00 to \$50.00 per month in electric bills. He cautioned residents to find out what the terminology of variable rate, fixed rate, term and notification means before they get involved in committing because it can cost a lot of money.

Cncl. Ronald Garbowski congratulated the Girl's Senior Softball Team, the Boy's Baseball Team and the team coaches and managers for their wins.

Cncl. William Sebastian also congratulated the Girl's Softball Team and the Boy's 9-10 Baseball Team for their accomplishments. He reported the Economic Development Committee met and had four "Welcome To Monroe Township" signs installed; two on County roads and two on the Black Horse Pike. The Committee is in the process of purchasing two more that will also be installed on County roads. The goal is to place signs on County and State roads at the main entrances to the township. He also reported the Ordinance Committee Meeting that was originally scheduled for Wednesday, September 4th has been moved up to Tuesday, September 3rd, notices were placed in the papers and the township website reflects that change. Cncl. Sebastian noted he has had some time on his hands so he entered the Publisher's Clearing House Contest after reading the fine print, which stated "No Purchase Necessary". Every couple of weeks they sent more entries but the catch is the very last one he received stated that he was a final qualifier and was required to pay a handling fee to handle the paperwork for the

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

winnings he was supposed to be eligible for. He noted the fee ranged from \$9.00 to \$12.00 so if a million people sent in \$12.00 they made \$12,000,000.00 and are only paying out a million. He noted that is a racket so when he sent back the final form he sent along a note that said take the handling fee out of my winnings because if there are no winnings then there will be no handling fee required and since that time he has not received any mail from them. He noted people are better off playing the local lottery to have the money go towards seniors than entering that contest.

Business Administrator, Kevin Heydel reported the Senior Commission sponsored a Blood Drive on Monday, August 19th and 46 pints of blood were collected. He extended appreciation to those who gave blood and reminded residents that the Library hosts a blood drive every month. To see the schedule or sign up for an appointment for those Blood Drives people can go to www.redcross.org, as there is no greater gift than the gift of life or no greater reward than helping others.

Director of Public Safety, Jim Smart noted school will be opening soon so residents should be conscious of the children on the streets coming and going to school.

Director of Public Works, Bob Avis reminded everyone that the Public Works yard is open on Saturdays through September 28th and that the odd stops should be put out on Thursday night. If trash day is on Monday or Thursday the odd stop is the first and third Friday of the month and if trash day is Tuesday or Wednesday the odd stop is the second and fourth Friday of the month. If residents have any questions they can contact the Public Works Department at 629-4444.

F.) GENERAL PUBLIC DISCUSSION

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

Tim Gwim, owner of PC Helpers, distributed pictures to Council to show the water problems he is having on his property located at 331 South Black Horse Pike. The Public Works Department and the Mayor have been notified of the problems which are continuing to get worse and significantly affecting his business, as it is happening again and again. **Cncl. Pres., Teefy** questioned how long Mr. Gwim has owned the building. Mr. Gwim could not remember the exact date but felt it was since 2005. He requested Council look into a way to resolve this problem, as the Mayor first told him nothing would be done and then later said we are trying to do something. Mr. Gwim didn't know what was being done and noted he cannot continue to be flooded like this, as it is a major issue for him, his business and his employees. **Cncl. Walter Bryson** noted Council received a correspondence within the past month regarding a State program that would pay 75% if the township would pay 25% to remediate flooding or storm sewer issues. Mr. Gwim spoke of giving Council paperwork from FEMA two years ago that would have paid 80% and the township 20% to resolve issues such as this. He noted he doesn't know what the cost would be and he understands there are budget constraints but resolving this issue should be a priority. Mr. Gwim referred to the pictures and noted the water is a public safety issue because someone could be hurt or even drown in that amount of water. **Cncl. William Sebastian** spoke of discussing this issue with Mr. Gwim and Dave Cella. They discussed putting in either a basin or a dry well but the problem is the building is located in one of the lowest areas in the township so everything flows there without considering the water going through the underground pipe. Dave has been working on this problem for a period of time trying to find an alternate solution. Mr. Gwim noted that was not communicated to him so he is glad to hear that something is being done. **Dave Cella** added a couple of years ago the township applied for some funding for this but right now we would be competing against victims of Hurricane Sandy so it would be difficult to get any money from the program. Perhaps a year from now the money will be replenished and we can apply again because this is going to be a funding issue at some point. **Solicitor Fiore** noted it was his understanding that there was some reallocation of money from Green Acres that was going to be earmarked towards Blue Acres, rather than Green Acres acquisitions. The money was going to be

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

reallocated towards these types of problems that seem to be happening more frequently so that might be something the engineer's office can take a look at. Solicitor Fiore noted we are involved in litigation with this but no one is making any comments about liability. Mr. Gwim noted this is an important issue and he is just trying to do the right thing by letting Council know that it is a continuing problem. Cncl. Bryson questioned whether Mr. Heydel knew anything about the program to remediate flooding and water damage because there are other places in the town that constantly flood. Mr. Heydel was not aware of the correspondence. Cncl. Caligiuri questioned whether the engineer knew where the water was coming from. Dave Cella explained Main Street at the five point intersection constantly floods and the water from there actually goes down through the system, through Mr. Gwim's property, crosses the pike and continues downstream. Cncl. Caligiuri questioned whether it was from an overflowing basin elsewhere. Mr. Cella responded no historically it's the downtown area.

Ed Knorr, 1053 No. Tuckahoe Road, approached Council regarding the flooding on his property that he has been trying to get resolved by the County for the last three years. He noted the problem is the County doesn't hire the brightest people for these political positions; it's all about political butt kissing that gets the job done. The County told him numerous times that someone would be out but no one ever came and the problem is getting worse and it now floods from the roadway almost to his front door. The water is not going down, it is presenting health and safety issue from mosquitoes and the tree roots are starting to show, which means in a good windstorm those trees could start falling and God forbid they could fall onto a car on Tuckahoe Road. The County has never responded. The pictures show dirt from when they installed gas lines in front of his property. They never repaired the area and after paving the street the flooding seemed to increase. Mr. Knorr called the Gloucester County Engineering Department and one man said nothing changed and when Mr. Knorr questioned whether he could read the prints the man hung up on him. Mr. Knorr explained after a heavy rain his yard floods close to his well and he is concerned that everything coming off the road will get into his well water so he has been getting his water tested. He noted he is tired of his property being used as a retention pond for Tuckahoe Road. Before the road was dug up and repaved there was not much of an issue, just a little water. A-Jacks had some type of retention system where most of the water flowed so it did not affect his property but now, the water comes straight of the road making his property like a lake. Cncl. Pres., Teefy questioned who at the County has Mr. Knorr talked to. Mr. Knorr replied Vince Voltaggio in the Engineering Department. Cncl. Pres., Teefy noted he would give him a call and request that he go out to the property. Mr. Knorr noted it was interesting to see the settlement this evening because he wasn't sure whether this was a game of "Who Wants To Be A Millionaire". He spoke of harassment of small businesses being a serious concern, of how he witnessed it at that property (*Simmermon*) a couple of years ago and how the township is now paying through its insurance company when we should be doing more to help small businesses that are dropping left and right due to the economic times. Mr. Knorr spoke of travelling all over the State and noted he (*Mr. Simmermon*) has one of the cleanest properties around for the work he does. He spoke of serving on the Environmental Commission and how they wanted to put an ordinance in place to address properties like that. Council never did the ordinance but in the future if they consider one they should use his property as a model, as automotive fluids are problematic in places that do no upkeep. Mr. Knorr spoke of New Jersey being number three in the country for millionaires and now with Jack joining the group we may be number two. He spoke of being in the environmental health field for thirty-four years and of how in the beginning it was all about making money until while doing air testing in hospitals he saw children in cancer wards, which changed the way he looked at things. He noted people think County, State and Federal agencies protect them but there is no protection there; it is all run by politics. To make things better we need to learn about the issues and concerns not cover them up. The County and State go along with cover-ups, they don't care until someone gets sick and then they are all over them trying to help them out. They put people's health at risk and it has been done time and time again. We have the highest rate of Autism in the Country, the highest number of open surface water bodies polluted in the Country, one of the highest cancer rates in the Country and the list goes on and where is the County and State environmental protection. There is none, we have the federal USEPA and they are a joke, they protect nothing but the administrators do protect their holidays and time off. The concern is we are putting people's health at risk and we

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cannot continue to go in the direction we are going. Mr. Knorr spoke of being chastised when he brought up water contamination issues here and how he was fired from four different places for bringing up contamination issues. He noted he will be putting a couple of his concerns in writing to Council to see if they can help resolve the problems. He spoke of the train wreck in Paulsboro and how that affects everyone in the County. He noted the County did not respond properly because the most exposure risk is at the beginning of the accident and the County told residents to stay in their homes while gases from the train were being released.

Cheryl Ognissanti approached Council to follow-up on her concerns regarding the Trio Tavern and questioned the status of the establishment and whether their license has been activated. Cncl. Pres., Teefy advised the license has not been activated, as that would be done by way of resolution. The status is, they are working on the building and trying to get their general contractor back to do some work on the building. Council has not heard from the Trio Tavern in regards to re-activating their license. Ms. Ognissanti questioned what year the license was inactivated. Cncl. Pres., Teefy responded in 2013. Ms. Ognissanti noted she has a resolution from 2006 regarding their Place to Place transfer license and she questioned Mr. Fiore on whether that resolution was legal. Solicitor Fiore responded he assumed that if Council action was taken it was a resolution authorizing the Place to Place Transfer at the time. Ms. Ognissanti questioned whether it was sent to ABC for licensing procedures and if so did the township get confirmation that ABC confirmed and concurred upon it. Mr. Fiore noted he assumed the resolution was sent to ABC but did not remember from 2006 and that he would not assume that he received confirmation because his office does not send resolutions to ABC nor would he get confirmation regarding that. Everything is generally processed through the Clerk's Office and he is assuming they followed whatever procedure was necessary. Ms. Ognissanti spoke of going to the Gloucester County Times to concur that two newspaper adds were posted by Esq. Rhodes in 2006 and she questioned as an attorney when you sign off on a document does that make it a legal document. Mr. Fiore questioned which document she was referring to. Ms. Ognissanti replied the newspaper clippings. Solicitor Fiore explained a legal notice placed in the newspaper does not require a signature. Generally it references an attorney or the attorney's office putting the add in the paper but it would not have an attorney's signature. Ms. Ognissanti noted she pulled Taylor's and compared the two and found the wording to be questionable in the newspaper clippings. She questioned whether she was correct that a corporation or an LLC doing a Place to Place Transfer would need representation from a lawyer's office. Mr. Fiore responded anybody would need representation and went on to say this is not a question and answer period. If there is a question it should be directed through the Council President. He noted if she is going to refer to things that happened in 2006 it is unbelievably unfair to him to question a particular document because he deals with thousands of documents on behalf of the municipality. If she wants to provide him with a copy of the document he will attempt to answer her question and if she is suggesting that something was done improperly again he would Ms. Ognissanti interrupted Mr. Fiore and stated I am not suggesting that. Mr. Fiore responded I think you are you are very candidly trying to do that. He went on to say the Clerk's Office and his office follow procedure and if Ms. Ognissanti has some issue about it, which we know you have because you contacted ABC. Mrs. McCormick spoke to an investigator and I (Mr. Fiore) reached out to an investigator because of the allegations that you made when you accused everyone on Council of being on the take. The investigators assured us that based upon your allegations and accusations this town has done nothing improper. We followed the procedure so if you have an allegation, make it and we will respond to it if we can. Ms. Ognissanti noted those words never came out of her mouth. She said that everybody had to be on board for this to happen and work in conjunction with one another as a system. Mr. Fiore replied you made an allegation that we were doing something improper. She replied sir I'm sorry you feel that way because I made a comment that the paper trail led back to Monroe Township. Mr. Fiore questioned where does it lead to, what is the end conclusion because we have talked about this before. He noted you can stand there and accuse somebody of doing something wrong and the public is watching it and the perception is that people are doing something wrong when that allegation is made. Ms. Ognissanti stated she finds it most disturbing that a bar could operate the way this bar has operated disrupting the peace and tranquility of a resident. Cncl. Pres., Teefy noted we have been down this road before and I do not want to spend my time tonight listening to you bad mouth the Trio Tavern. Ms. Ognissanti noted she was not bad mouthing the Trio Tavern, she was explaining her

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experience and that she finds it disturbing that a bar or any business could operate like that. Cncl. Pres., Teefy noted to me you are making accusations and we have heard it, we heard it in April, we heard June, July and now in August. Ms. Ognissanti interrupted Cncl. Pres., Teefy and stated I'm giving you the experience of what I live with and it is more disturbing to me that you are dismissing it away. Cncl. Pres., Teefy tried to speak but Ms. Ognissanti kept on talking and at this point in a very stern manner Cncl. Pres., Teefy requested that she stop talking over him, as he is chairing the meeting and she needs to be quiet. He noted we have been down this road before, we have talked to investigators and we are doing everything we are supposed to be doing so to go back and rehash this again accomplishes nothing. She noted she is not trying to rehash it, she is trying to ask questions to get some things resolved. Cncl. Pres., Teefy requested that she come up with something new. Ms. Ognissanti replied she has freedom of speech and she is trying to express herself to get things resolved and the way she makes her point should not be censored. She questioned whether Mr. Fiore sent the tapes and the questionable paperwork that she received from her public records request to the Prosecutor's Office. Mr. Fiore replied no, that he had indicated to her last time that if she chose to do that we'll do it, do you want to send it to Shawn Dalton, we'll send it to him and we'll send it to the Attorney-General's Office. The agency that is responsible for reviewing that you have been in contact with numerous, numerous times, we have been in contact with them and they are not investigating us or anyone. You contacted an investigator who reached out to Mrs. McCormick and me to indicate that you had inquired as to whether anything was done illegal and they assured us that nothing was done illegal. Ms. Ognissanti noted she never contacted an investigator. Mr. Fiore replied you contacted someone in the Attorney-General's Office who contacted ABC, whomever you contacted whether it was the legislature or whoever ... Ms. Ognissanti interrupted and stated you are making assumptions and allegations, you do not know who I spoke to or ever asked me who I spoke to. I spoke to people at ABC but you are assuming I spoke to certain entities. Mr. Fiore responded whoever you spoke to there is not an investigation. Let me be very, very clear because many people watch this on TV to find out what's going on in local government. There is not an investigation going on. An investigator from ABC contacted Monroe Township as a result of a local legislator; I'm assuming it is either Fred Madden or Paul Moriarty, indicating that a resident had a complaint about the Trio Tavern and about the licensing procedure for Trio Tavern. There were concerns from this resident that things were done improperly. We were assured by the investigator, two separate investigators that everything had been done properly. As a matter of fact, the investigator even commented how Mrs. McCormick's records were impeccable and they wished that every town's records were as thorough as our records were. Ms. Ognissanti questioned who Mr. Fiore spoke to. He replied Investigator Andy Wenger from the Division of Alcohol Beverage Control. Ms. Ognissanti noted this bar had questionable building practices, plus began building their new structure without permits for five months on a major highway. There is no other business that would get away with that for that length of time without speculation or scrutiny. Mr. Fiore questioned whether that was a question or an allegation. Ms. Ognissanti noted she is getting to her point and didn't know she was under a time clock here. Mr. Fiore advised no one said she was under a time clock, you are allowed to talk all night if you would like. We are here. She indicated she appreciates that and her question to Mr. Fiore is when these two articles were posted in the paper and a Place to Place Resolution was granted is it indeed on file up at ABC. Mr. Fiore replied you asked me that question before and I have no idea if it is on file in Trenton. She questioned is it a Pocket License or a Place to Place Transfer. Mr. Fiore replied you just indicated the notice said it was a Place to Place Transfer. A Pocket License is usually when a license is pocketed, no one is utilizing the license. A Place to Place is when you say I'm using it in Section A and I'm going to use it in Section B. Ms. Ognissanti noted she is asking these questions because she has received public records that do not make sense to her, that are highly questionable and that have different tax ID numbers that have been submitted to ABC. If this had happened and everything was processed the way it needed to be how could this business run effectively with different tax ID numbers for different years, with no seals on certificates. I have compared and contrasted licensing for Taylor's and this bar, I have done my homework and have fine tooth combed everything and I am here to ask you exactly what went up to ABC, if you recollect, if you don't that's fine sir. These are my concerns I feel that what I have gone through as a resident warrants concern, I don't feel like I'm stepping off the line asking questions, I am a taxpayer of this community and for you to think that I am publically trying to disgrace this Council is offensive to me. She noted she doesn't feel that it is unreasonable to ask

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questions in order to get this issue resolved. She indicated she would like to get a time line of when their license was inactivated and it was stated that it was in 2013. Mr. Fiore replied Cncl. Pres., Teefy said 2013 but actually it was when the fire occurred in the summer of 2012. Cncl. Pres., Teefy questioned the resolution that was recently done approving the inactive license. The Clerk explained that resolution was to renew the inactive license for 2013. Ms. Ognissanti noted every time there is a movement on a liquor license the last digit in the liquor license number changes. Mr. Fiore noted he doesn't know that. If ABC assigns a number to a liquor license, it is ABC that does that we do not get involved in giving the license a number. They are assigned licensed numbers. Mr. Fiore noted you are talking about documents from 2006, you talked about Taylors and the Trio and compared documents but we do not have the benefit of having any of those documents up here. Cncl. Pres., Teefy noted this is not a court, it is a council meeting and we can try to answer questions but you are referring to specific documents so why don't you put together a package for us with your questions on each document and drop it off to the Clerk's Office for Council to review and provide you with some answers. We asked before if you wanted to sit down with a Council committee. Ms. Ognissanti noted she was still waiting for that phone call, I called Mr. Garbowski ... Cncl. Garbowski interrupted her stating that you have been contacted several times and you were supposed to give me some dates of when you wanted to meet and I asked you to provide that committee with documents and to this date we received nothing. Ms. Ognissanti noted she did provide the documents, she dropped them off at the Clerk's Office when you first asked for them for the illegal building that was going on and I did email you back and I am very diligent upon that. I did call you back and even requested the Mayor, four different times with four different people, to come and sit in at the meeting. I met with the Mayor and he said he knows nothing about the CO problem and doesn't know how it happened. Cncl. Garbowski added and neither would this council you need to talk to the Construction Code Office. Ms. Ognissanti went on to say how she talked to every office and got no answers, how concerning that is to her, how she has alleged to nothing, how everyone had to be on board because a permit for a deck was submitted with a pole barn plan, how the deck was enclosed to be a full blown outside bar, how the bar sold liquor every year from 2004 through 2012 and how it is questionable when this liquor license went inactive. She requested confirmation on when it went inactive. Mr. Fiore noted we just told you that was 2012. She went on to say she came up here because of the documents she pulled from the public records. Mr. Fiore requested that she identify what that document is for the record because she was referring to the inactive license after the 2012 fire. Ms. Ognissanti explained these were all the licenses that I was given from 2006 up to 2012. Mr. Fiore requested that she read the 2006 license number and the other license numbers into the record since she said there were discrepancies between license numbers. She noted she will get to her point. Mr. Fiore stated oh, you were using that as an example, I understand. That is very important because you said there were some discrepancies and you peeked my curiosity. She held up a copy of Taylor's 2006/2007 Liquor License that had a seal in the center and a border around the edge of the page and Trio's 2006/2007 that had no border or seal. The Clerk explained the Taylor license is a copy of the original license that is sent to Taylor's. The Trio license is a copy that ABC provides to each township individually and through the years it has been a little different. ABC previously sent us an original and carbon or we would make a copy of that but that procedure has changed and now they send us separate original licenses for the applicant/licensee and a separate license for the municipality to keep as their record. They have to be signed individually by the Clerk so when the Liquor Licenses are sent out the applicants get the original with the big State of New Jersey seal. The township copy doesn't have that it just has the township seal on it. Through the years the licenses have changed and the format and look of it may be a little different but they are basically the same license. Cncl. Rich DiLucia noted he has sat here for a number of months and listened to the problems from both sides. Last month he was not in attendance at the meeting but read the minutes diligently and heard Cncl. Pres., Teefy say repeatedly that Council legislates but does not enforce and Ms. Ognissanti is asking for us to enforce when we do not have the legal right to. We have the legal obligation to legislate. If in fact any of those legislations have been violated then refer to them specifically, put them in writing and let us get specific about those allegations because the Solicitor is correct. I have sat here and heard two speakers make allegations against Council that are unfounded. One said that we are against small businesses and we harass them and I am sitting here and saying I have had enough. I don't like it that we sit here while innuendoes are made. You can read things any way you want and I am pretty articulate and I know how to

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play games but I don't feel like playing games. If Trio Tavern is in violation of the Liquor Code whatever this application goes to will be a matter of public record and they will either be shut down or issued a license. We, as Council have no jurisdiction what so ever over that, we are not an enforcement agency. We certainly accept phone calls, we try to help people, we try to be compassionate but what you are really doing is asking questions that people here do not have the answers to. In 2006 I wasn't on Council, but even if I was I couldn't have enforced anything as a councilman. I couldn't have gone down to Trio and said you are in violation because you don't have the proper CO. That is not our legal responsibility nor can we do it. I would sit here all night long because I believe in democracy and I believe in giving the people the right to speak but I don't give people the right to speak to ask us to take a jurisdiction that we don't have a legal right to do. Cncl. DiLucia addressed Cncl. Pres., Teefy noting I would ask respectfully that the person who is addressing us puts in writing specifically what it is they want us or the solicitor to answer and what the allegations are or aren't. But to go on this witch hunt, this continual witch hunt is not doing a service to this township or anybody else and let me say the following... Ms. Ognissanti interrupted and stated that is offensive sir because I am not on a witch hunt. Cncl. DiLucia noted he is not trying to be offensive but there is a business right now that is closed. A person that I don't know from Adam, is being denied a livelihood and the right to make a living in this town because they are not functioning right now as a restaurant or a bar. I am not the one who is going to make the decision about whether they comply legally with the right to open up that bar. That is going to be a process done by other agencies and if at the end of that process they are told they can't open it up again then they have a right to go to court. If they are told then can open it up again citizens have the right to go to court. We don't, we are not an enforcement agency and I won't enforce it so I strongly suggest that it be put in writing exactly what it is, the answers that we can supply and the ones we can't we will respond in writing that we can't supply them because we don't have the knowledge, the documentation or we don't have the authority. Cncl. DiLucia noted that is how I feel about it Mr. President. Cncl. Pres., Teefy noted a lot of us agree. Ms. Ognissanti noted I feel that I am speaking about concerns and I can appreciate that you would like them in writing but I would rather speak about them. Cncl. DiLucia noted you can speak about them all you want but when you ask questions of the Solicitor and the President I would respectfully request that you put those questions in writing because I have heard or read the same questions for the last five months and I have heard the same replies for the last five months that we either don't have jurisdiction or we don't have the answers because we don't have those documents. Ms. Ognissanti questioned whether Council was a legislative branch and vote on licenses that are lawful, in compliance and didn't have violations behind them, is that a fair assumption sir. Cncl. DiLucia noted you were told before that we vote on legislation in conjunction with professionals that do the day to day investigations and we go based on their recommendations whether it be the Liquor Control Board or the Code Officer unless they come along and say something is wrong while we are in the process of reviewing it. If that doesn't happen then yes, I would say we listen to the professionals and would agree with their recommendations; that is the process. Ms. Ognissanti noted if the proper violations and proper fines were not enforced. Cncl. DiLucia noted he wasn't here in 2006 but since he has been here no one has come in prior years and said there were violations of any code down at that bar until the fire or shortly before the fire. Now there are violations but there are agencies investigating that right now, it is not our jurisdiction. Cncl. DiLucia noted he will say no more and if Ms. Ognissanti wants to speak all night long he will listen but he will not answer questions. Ms. Ognissanti stated it's only because she has documents that *Mr. Fiore* fine tooth combs before I get them. Cncl. DiLucia replied well share them, he asked you to share them. She stated that when she requested the records she was told by the Clerk's Office by Sharon and Karen that things are reviewed by Mr. Fiore before I get them. Cncl. DiLucia questioned on an OPRA request. She responded yes, on an OPRA request. Mr. Fiore replied no they are not, that is not accurate. She noted before I get them you will review and look through this. Mr. Fiore explained that is not accurate, I only review if there is a question about an OPRA request I do not review every document that is circulated via an OPRA request. Ms. Ognissanti noted she was glad she got clarity on that because she was assuming that you know what documents I am holding up based on that knowledge. Mr. Fiore noted he would review documents only if there is an issue about an OPRA request that wasn't clear or a legal question comes up about an OPRA request. Never in a million years would I review every document, that would be cost prohibitive to the township and that is not what OPRA requires, not at all. Mr. Fiore questioned whether she was told that

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he reviews every document. Ms. Ognissanti replied no, they said that you have to review the paperwork prior to me getting the packet. I was put on hold to wait on things because I understood that you were going to review it so when I come up here and start speaking about things and concerns I am assuming that you looked at it and you know what I am talking about based on that knowledge of picking up my records. Mr. Fiore noted that is not accurate. You would have to assume that I would have to be absolutely brilliant to recall a document that I reviewed from 2006; how would I remember that sitting here. Ms. Ognissanti noted she is referencing numerous documents that tie things together in a tidy package of how a license will be voted on, unbiasedly. She noted when she was here the first time in April either Mr. Fiore or Mr. Teefy accused Mr. Caligiuri of ethics and she questioned whether this issue was under scrutiny at the time there was a conflict among the councilmen and was anything reported. Cncl. Pres., Teefy and Solicitor Fiore noted that was totally unrelated to the Trio Tavern liquor license. Ms. Ognissanti again noted she is concerned that the liquor license will be renewed, that she respects Cncl. DiLucia's position and can understand that it may be grueling to listen to all this. Cncl. DiLucia asked Ms. Ognissanti several time what her definition of grueling is as it pertains to him. She stated it is not her style to be badgered. She is trying to be compassionate to you that you have to sit and listen to this. She noted it seems that it is grueling to you for you to ask me to put this into writing and I am not out to pay word games, I am out to get clear answers and I'm concerned about a vote on a liquor license. Cncl. DiLucia noted that is the biggest stretch I ever heard in my life. What I said was, if this question has been asked and answered I would appreciate it if you would put those questions in a form of writing and I then followed it up by saying that I am willing to sit here as long as you want to address this body. I never said it was grueling, I never said I wouldn't sit here. Ms. Ognissanti responded I said I understand it could be grueling to you because you are asking me to put it in writing. Cncl. DiLucia noted well I accept your apology then. She stated I didn't apologize sir, I said I understand it seems to be grueling. Cncl. DiLucia replied I think you did and I think everybody watching this will see it. She again noted she did not apologize to him and she is sorry that Cncl. DiLucia was so abrasive to her because she would think as a councilman he would be more flexible and open minded to listen. Cncl. DiLucia questioned what would that mean, that I agree that you said something about me that is not true, is that more obliging to you. Cncl. Pres., Teefy requested Ms. Ognissanti to sit down with the Administrative Committee and go through the documents and bring her questions instead of peppering Council with these questions and expecting us to remember. Ms. Ognissanti noted she is not peppering Council, she chooses to sit in an open public meeting to discuss it in this forum and at this point she feels that she is being censored. Cncl. Pres., Teefy told her to go ahead but Council will not answer any questions. Any questions she has should be put in writing to the Clerk and we will answer them later. Ms. Ognissanti stated she had an affidavit from Taylor's but did not have one for Trio. Township Clerk, Susan McCormick requested to see what Ms. Ognissanti was referring to and noted that I have given you everything that is on file in the Clerk's Office from the 2006 Place to Place Transfer forward. Mrs. McCormick explained in 2006 a regular renewal of the license was done after which Trio requested a Place to Place Transfer. That is handled separately, not in the general resolution, it is all separate. That procedure was followed properly with all paperwork this governing body would need to process and approve the application. That entire file went to ABC for review and if they find a problem with it they correspond with me; there was no correspondence back. She explained when liquor license are renewed ABC holds a lottery to establish the counties that have to do a complete twelve page application. Since 2007 we have only been required to do a one page renewal but this year the lottery picked Gloucester County as one of the counties to complete the twelve page applications so that's why the records you are getting will not be the same, they will be a little different from year to year. The Place to Place Transfer was done in 2006 and what is on file in the Clerk's Office is correct and went to ABC. Mrs. McCormick noted she can only take in what she is given by the applicant and their professionals and we review it. The other matter I cannot speak to. I can only tell you procedurally what went on. From year to year it might look a little different because every year you just never know but the Place to Place Transfer was handled separately from the renewal in 2006 therefore, in 2007 through 2012 you will only have a copy of the one page renewal application and license, as that is what is on file. According to the Government Records Retention Schedule that we go by I am not required to keep every year. In regards to the question regarding how long ABC keeps records I don't have that information because I don't know how long they keep their records. For the courtesy of our

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applicants I usually keep the twelve page application as a service because it helps the applicants when doing the longer procedure. Mrs. Ognissanti questioned whether that met in 2006 they would have a twelve page Place to Place Transfer. Mrs. McCormick explained a Place to Place Transfer does not require a full twelve page, it requires certain pages from the twelve page application. Ms. Ognissanti noted then it would be checked off that the amendment would have been on file. Mrs. McCormick replied that would be the Place to Place Transfer that was done separately from the renewal in 2006. Ms. Ognissanti felt she did not receive their twelve page application. Mrs. McCormick replied in all fairness Cheryl you do a lot of requests and we do our best in the Clerk's Office to handle these but sometimes it is hard to discern what you are asking for. If there is something you don't have you, make a record of it and let us know because these requests are voluminous. I think the Clerk's Office has done exemplary work with all this information we have gotten from various offices, we have to discern your request and exactly what you are asking for. We tried to give you what we have if we respond to you in a way that you think is incorrect or we are not giving you enough information pick up the phone or come in and see us, as we are not mind readers. Ms. Ognissanti noted when she requested permits while they were reconstructing the ones she received were unsigned. She then called the State and they put a stop work order that said there were no permits on file. The new permits I requested after they went through the Pinelands were emailed so it's tricky the way I am getting these records. I received permits unsigned and undated during their illegal building period when they had no Certificate of Filing through the Pinelands so the average person would look at that and say they have permits but, in all essence they received permits that were not signed and dated. Mr. Fiore questioned whether DCA was down here to review what the Construction Code Office was doing. Ms. Ognissanti replied yes, they were the ones that placed the stop work order. Mr. Fiore questioned whether they found any irregularities in what the Construction Office did or did not do. Ms. Ognissanti noted she did not receive a report on that, as she is not privy to that. Mr. Fiore questioned whether the Clerk's Office received anything from DCA indicating that there were any irregularities in construction. Mrs. McCormick replied not to her knowledge. She believes they visited but she never received anything in her office. Ms. Ognissanti noted the newspaper affidavits that were done on Taylor's through their attorney but she did not receive any affidavits for Trio. Mrs. McCormick questioned whether Ms. Ognissanti was referring to the Place to Place Transfer because that is the only time an affidavit is required or in the instance of a new license. A renewal does not require a publication so the only time you would see an affidavit would be when a new license is issued, a Place to Place Transfer is done or a Person to Person Transfer is done. Ms. Ognissanti noted she did not see that done on this. Mrs. McCormick noted she will be glad to check that for Ms. Ognissanti. Ms. Ognissanti went on to say these are the basic concerns she has with the paperwork and she feels that they are not unreasonable and she has a right to voice her concerns due to this business keeping her and her children up at night. Mr. Fiore questioned is it your belief that in 2006 the Place to Place Transfer did not occur properly and that this structure, which you claim is illegal, has affected your family's quality of life and you are now coming to Council and you want them to do something, as you want some sort of relief. Ms. Ognissanti replied no, I want the Council when they vote to vote... Mr. Fiore interrupted and stated you want to make sure everything is correct. Ms. Ognissanti replied no, no what you are paraphrasing is to your assumption, sir, you are doing what a lawyer does. Mr. Fiore noted as I explained to you last time if everything is in order, all the i's are dotted and t's are crossed, and you are up here saying I want Council, and just correct me if I'm wrong because I think this is where we are going, that you want Council to vote against their license to punish them for their past sins if there were sins. Ms. Ognissanti replied sir I never said that and you are trying to get me to agree to something that is ridiculous. I am trying to get basic questions answered that are important and you are using lawyer tactics. Mr. Fiore responded it is not a lawyer tactic, it is 10:30 PM and I am just trying to focus on what you want. Ms. Ognissanti noted when you go to vote I would like to know how a proper vote could be voted upon based on a bar that should have had proper violations put upon it that any business operating in this township would have to follow protocol and regulations. Mr. Fiore replied because the law says that the only action Council is going to be able to take at that time is to vote on the current application. We can't punish them for something that they may have done wrong before. We cannot vote upon their license if they didn't do something proper before, as that is not a reason to deny their license. That would be retribution for something that maybe they did or didn't do, I don't know that. Ms. Ognissanti noted she was asking why the proper

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violations and fines are not evident in this issue. Mr. Fiore noted to be fined you would need to go to court and be found guilty. They would have had to been cited by Construction or someone from that department, as that is discretionary within that department. She noted it is questionable why things were done a certain way and things were built a certain way without proper documents to backup what they built and what is really there. Therefore this is all questionable across the board so then it leads up to a vote on a license where there is a lack of violations, enforcement and no accountability. Mr. Fiore noted we cannot punish them for what may have happened in the past. When it comes to a vote in October, November or December if all the i's are dotted and t's are crossed and their application is fine we cannot legally deny their license, as there is no basis what-so-ever. Even if they did do something wrong, even if they were found guilty, assuming it wasn't criminal, as that would be a different issue, but if it was that they were not cited by the Construction Department or there wasn't an affidavit and that was defective from 2006 they cannot be punished for something that may not have been done property before. We focused on that during the last meeting because you want Council to take retroactive action and they can't. Ms. Ognissanti noted she is trying to understand how other businesses are held to accountable standards and this one particular business was not and is still not evidenced by building for five months without permits. Is their builder accountable, are they accountable and are proper violations and fines enforceable here and when they are enforced subsequently their license is in question and in jeopardy isn't it. Mr. Fiore replied no, I have answered that ten different ways, I answered it at the last meeting and I answered it again. I am totally convinced no matter what I say you are not really listening to me and I am trying to help you but you are not listening. Ms. Ognissanti responded I do want to listen. Mr. Fiore stated I really want to be helpful, it is my job to be helpful but you are really not listening. We are trying to make you leave here with a clear understanding of what is going on but what is happening is you are comparing documents such as affidavits but in fairness to everyone up here we don't have copies of those documents, which is why the suggestion was made to put your questions in writing and that way they can be brought back in writing. No one can stop you from talking about it in public but if your questions are in writing we can have the answers for you ahead of time. In fairness to everyone up here we are trying to give you answers and the advice I'm going to give to the governing body, now, the last time and at the meeting when that liquor license comes to be voted upon is if there are no current violations and all the paperwork is in order they cannot vote no, legally they cannot, as long as it conforms with the agencies. Ms. Ognissanti noted and that is disturbing. Mr. Fiore replied it shouldn't be that is what the law is. At this time someone in the audience shouted out *who has a vested interest that's what I want to know*. Mr. Fiore questioned what was that sir? The man stated Mr. Caligiuri said there is a vested interest. Mr. Fiore requested that he state his name for the record and make that accusation on the record. The man replied Joe Ward, Mr. Caligiuri stated that he believes that there is a vested interest. Mr. Fiore questioned what does that mean that people go there and drink beer and eat wings, is that what that means, I don't understand. Mr. Ward again stated Mr. Caligiuri said that there was a vested interest. Mr. Fiore questioned what somebody has a business interest in Trio. Mr. Ward noted they had violations and were building for five months and you are telling me there are no fines or nothing. Mr. Fiore replied you both can go file a complaint if you like. You can go to municipal court and file a complaint. Mr. Ward stated you can't get anything done here in this town. He noted you are saying now Mr. Caligiuri that (At this point the comments were indiscernible on the tape as Mr. Fiore interrupted and told Cncl. Caligiuri that he did not have to answer that),.... as we have tapes. Cncl. Caligiuri replied please bring them in I would like to hear them because you're going to get you're a __ sued buddy. Cncl. Pres., Teefy requested that Mr. Ward not yell out from the back, please. Ms. Ognissanti noted it is disturbing to me that a business.... Cncl. Caligiuri interrupted and noted it is disturbing to me that I got that accusation and you are going to get you're a __ sued. Mr. Ward responded you are the one that is going to be in trouble not me. Cncl. Caligiuri replied no sir, now I'm mad, you got the wrong guy mad. Mr. Ward replied good. At this time Cncl. Caligiuri angrily left the meeting. Cncl. Pres., Teefy tried to get the meeting back to order. He noted Cheryl I have heard this over and over and over so we are not moving anywhere. Mr. Ward shouted out we are taking it to the prosecutor. Ms. Ognissanti went on that public health and safety was jeopardized here and it is disturbing that it was downplayed. Children were affected because it was downplayed, my family was affected and kept up all night and if your grandchildren or children had this issue it would be considered serious to you gentlemen and I am wondering

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

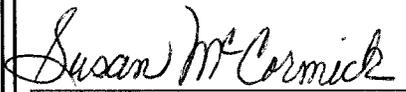
why it has been downplayed to such a level where it doesn't matter. It is very concerning. At this time Mr. Ward called Ms. Ognissanti to leave and stated let them explain to the IRS, they're all phony tax (comments were indiscernible). Ms. Ognissanti thanked Council for their time and left the meeting.

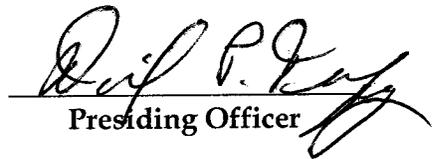
With no one else wishing to speak Cncl. Walter Bryson made a motion to close the Public Portion. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council in attendance.

G.) ADJOURNMENT

With nothing further to discuss Cncl. Walter Bryson made a motion to adjourn the Regular Council Meeting of August 26, 2013. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Susan McCormick, RMC
Township Clerk


Presiding Officer

These minutes were prepared from excerpts of the tape-recorded proceedings of the Regular Council Meeting of August 26, 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 Am
Approved as corrected _____

Date 9/23/13
Date _____