

MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
SEPTEMBER 23, 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. Ronald Garbowski led the assembly in the Pledge of Allegiance to Our Flag and offered the Invocation.

ROLL CALL OF TOWNSHIP OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks		Excused
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		Excused
Dir. Of Public Works, Bob Avis	Present	
Township Clerk, Susan McCormick	Present	

PRESENTATIONS

• **Spotlight on Business - Fulton Bank**

Christine Feggans, on behalf of the Monroe Township Economic Development Commission introduced Manny Bermudez, Vice President of Fulton Bank. Mr. Bermudez noted Fulton Bank was formed in 2011 as a result of a merger between The Bank and Skylands Community Bank. Fulton Bank is a community bank with \$3.5 billion in assets operating a network of 74 branches and ATM's throughout the State of New Jersey. It is the charter bank of New Jersey headquarter in Mt. Laurel and is part of the Fulton Financial Cooperation family of banks that has several community banks throughout Pennsylvania, New Jersey, Delaware and Maryland. The goal of the bank is to ensure customers have direct access to us which means having employees live and work in the communities in which they serve. Mr. Bermudez noted the Williamstown Branch has two regional managers that live in town and he has worked there for the last two years and prior to that in Winslow Township for three years so he is familiar with the economics as well as the lending needs of customers and businesses of the community. Fulton Bank of New Jersey is committed to helping create financial success for customers, career success for employees and community successes for the areas in which we serve. Mr. Bermudez extended his appreciation to the Mayor and Council for giving him and other local businesses the opportunity to inform the general public of their progress, success and the future

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PRESENTATIONS (cont'd)

of the companies. **Cncl. William Sebastian** noted Mayor Gabbianelli appointed Manny to the Economic Development Commission during the last meeting and he attended his first meeting last Monday and knows what the commission is looking for.

APPROVAL OF MINUTES

Cncl. William Sebastian made a motion to approve the minutes as submitted of the Council Work Session and Regular Council Meeting of August 26, 2013 and the Council Work Session and Regular Council Meeting of September 9, 2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council in attendance with the exception of **Cncl. Walter Bryson** who Abstained on the minutes of September 9, 2013.

B.) CORRESPONDENCE

- **CY2013/SFY2014 Best Practices Inventory Questionnaire**

Business Administrator Kevin Heydel explained municipalities must complete and score 75% on the Best Practices Inventory Questionnaire to get State aid and we made it by one point, as the requirements are getting more difficult each year. He suggested a committee review and discuss some of the questions to see what practices could be instituted to prevent the township from losing aid next year. **Cncl. Pres., Teefy** requested Council review the questionnaire and bring some ideas to a future Work Session.

Cncl. Ronald Garbowski made a motion to accept the CY2013/SFY2014 Best Practices Inventory Questionnaire as submitted. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance.

C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

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

R:178-2013 Resolution Authorizing Closed Executive Session Of The Township Council Of The Township Of Monroe To Discuss Active Litigation (*Guim V. Monroe Township*)

Cncl. William Sebastian made a motion to approve Resolution R:178-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

CLOSED EXECUTIVE SESSION

Solicitor Charles Fiore noted Counsel assigned by the insurance carrier to handle the *Guim V. Monroe Township* case provided a procedural history and the status of the case and that is all there is to report at this time.

R:179-2013 Resolution To Make A Change In Custodian Of A Petty Cash Fund For The Township Of Monroe In Gloucester County "Police Department"

Cncl. Ronald Garbowski made a motion to approve Resolution R:179-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

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

R:180-2013 Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A:4-87 Click It Or Ticket

Cncl. William Sebastian made a motion to approve Resolution R:180-2013. The motion was seconded by **Cncl. Frank Caligiuri** and unanimously approved by all members of Council in attendance.

R:181-2013 Resolution Adjusting Township Of Monroe Tax Records

Cncl. Walter Bryson made a motion to approve Resolution R:181-2013. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance.

R:182-2013 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute An Amendment To Transport Agreement Between Monroe Township And Virtua Health, Inc.

Cncl. William Sebastian made a motion to approve Resolution R:182-2013. The motion was seconded by **Cncl. Frank Caligiuri** and unanimously approved by all members of Council in attendance.

R:183-2013 Resolution Of The Township Council Of The Township Of Monroe To Authorize The Monroe Township Police Department To Conduct Firearms Qualifications For Retired Monroe Township Police Officers

Cncl. Rich DiLucia made a motion to approve Resolution R:183-2013. The motion was seconded by **Cncl. William Sebastian** and unanimously approved by all members of Council in attendance.

R:184-2013 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Execution Of The Side Letter Agreement Between The Township Of Monroe And United Food & Commercial Workers Union Local 1360 Agreement Through December 31, 2014

Cncl. Ronald Garbowski made a motion to approve Resolution R:184-2013. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance.

R:185-2013 Resolution Of The Township Council Of The Township Of Monroe To Authorize The Mayor To Execute The First Amendment To The Lease Agreement With New Cingular Wireless PCS, LLC

Cncl. Walter Bryson made a motion to approve Resolution R:185-2013. The motion was seconded by **Cncl. Ronald Garbowski** and unanimously approved by all members of Council in attendance.

D.) ORDINANCES

Cncl. Pres., Daniel Teefy turned this portion of the meeting over to **Ordinance Committee Chairman, Cncl. William Sebastian**, who advised Ordinances O:16-2013 and O:17-2013 were added to the agenda for First Reading during the Work Session Meeting.

Cncl. Ronald Garbowski made a motion to open the Public Hearing for Ordinance O:14-2013. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance. With no one wishing to speak **Cncl. Walter Bryson** made a motion to close the Public Hearing. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance.

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D.) ORDINANCES (cont'd)

O:14-2013 An Ordinance To Amend The Code Of The Township Of Monroe Fixing And Establishing Salaries And Rates Of Compensation Of Officers And Employees Of The Township Of Monroe, In The County Of Gloucester, State Of New Jersey

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

Cncl. Rich DiLucia made a motion to approve Ordinance O:14-2013 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Ronald Garbowski**.

**ROLL CALL VOTE TO APPROVE ORDINANCE O:14-2013 FOR SECOND
READING AND PUBLIC HEARING - 6 AYES, 1 ABSENT (Dilks)**

Tally: 6 Ayes, 0 Nays, 0 Abstain, 1 Absent. Ordinance O:14-2013 was duly approved for Second Reading and Public Hearing.

O:15-2013 An Ordinance Of The Township Of Monroe To Establish A Mixed-Use Zoning District

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:15-2013. The motion was seconded by **Cncl. Pres., Daniel Teefy** and unanimously approved by all members of Council in attendance.

O:16-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 69 Of The Code Of The Township Of Monroe, Entitled "Police, Division Of"

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:16-2013. The motion was seconded by **Cncl. Rich DiLucia** and unanimously approved by all members of Council in attendance.

O:17-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend The Code Of The Township Of Monroe Establishing Rates Of Compensation To Officers And Employees Of The Township Of Monroe

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:17-2013. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

E.) REPORTS AND OTHER MATTERS

Cncl. Walter Bryson reported Williamstown Fire Company # 1 is hosting their annual Open House on Tuesday, October 8, 2013 from 7:00 PM to 8:30 PM. He also reported some polling locations have changed for the October 16th Special Election and recommended voters check their sample ballots for their polling locations. **Cncl. Bryson** urged residents to vote during the Special Election to replace the late Senator Lautenberg as this election is costing the taxpayers of New Jersey an additional twelve million dollars plus added local cost for setting up and manning the local polls. The governor chose to hold this Special Election early wasting taxpayer's money instead of holding it at the General Election on November 5th. That money could have been used for local tax relief or for attracting businesses with job opportunities for New Jersey residents; not to make it easier for the governor to get re-elected in November.

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

Cncl. Bryson urged residents to think when they see the governor's adds saying he is saving money and providing tax relief. He also extended his appreciation to all the people that sacrificed their time to assist his neighbor with transportation, which Medicare did not provide to and from Philadelphia for cancer treatment. He noted it is comforting to know friends and neighbors in this community are willing to pitch in to assist those of us on Medicare.

Cncl. Frank Caligiuri reported attending the Zoning Board Meeting on Tuesday, September 17th. The Zoning Board granted Guzzo approval for additional supplemental residential on his property located behind Sam's Club. That parcel is mixed use, which includes commercial and residential. Prior to this Guzzo came in with a plan for additional residential but the Zoning Board chose to trim that proposal so the final approval was for far less than what the developer originally proposed in supplement residential. Cncl. Caligiuri reported attending the Environmental Commission Meeting on Monday, September 16th and noted there was nothing significant to report on that. He also reported volunteering his services as a bartender on September 14th at the Jam on the Lake fund raiser held to benefit the Friends of Victory Lake Association and at the Back to 4-H event held on September 10th. Cncl. Caligiuri reported attending the Planning Board Meeting on September 12th. The Planning Board approved Shorty's as well as his tenant to occupy the old Jamesway Center. Cncl. Caligiuri noted he sent an email to the Gloucester County Deputy Administration on December 12, 2012 requesting information regarding a proposed count communications tower being proposed in Ward 4. No response was received and a supplemental fax was sent on January 28, 2013 and he has not responded to the fax either.

Cncl. Rich DiLucia reported at the first meeting in January he stated he hoped that legislators in Washington would adopt a by-partisan approach to legislating and it is apparent that nothing could be further from the truth. There is a movement spearheaded by the Tea Party to hold up the budget under the pretense that they do not want to fund the new health care bill although they know the Senate will not agree to it and the President will veto it. Cncl. DiLucia noted if this was isolated he would say maybe it's their principle but it is apparent the entire attack is on the working class, the poor and the middle class. Washington is talking about changing the CPI, which amounts to a cut in Social Security. They propose to take the Cost of Living Index that has been in place forever and change that to reduce the amount of Social Security increase recipients will receive. Another bill spearheaded by the Tea Party this week and adopted by the Republican Party was to cut food stamps by billions of dollars. A farmer's subsidy bill was included in that and both legislations are lying dormant but one thing that will become a reality is that the food stamp program will be cut. That's the last thing they should do in this economy but it is apparent everything is geared on the programs that are met to keep the working poor, the poor, elderly and disabled alive. They also want to cut Social Security and Medicare when they know there are easy fixes to those programs. AARP has said all they need to do is take the cap off and increase it somewhat, as that would more then pay for future years of Social Security and keep Medicare a viable program. The attack on the poor is very evident. The number of the wealthy people has increased and now fewer people control a greater portion of the wealth in this country, which means there is a shift from the poor people who need it the most. There are billionaires in this country while many, many children are without food and the poverty level in New Jersey ranks among the very top in the country. Cncl. DiLucia referred to Cncl. Bryson's comments about the governor deciding to have a Special Election when it could have been held in November and saved the taxpayers a lot of money. He noted last year the governor encouraged towns to consolidate school board elections and general elections to save money. That is contradictory to holding a Special Election for the senate seat in October when it could have been held in November at virtually no additional cost. In the situation with the school elections the governor has taken away in most instances the right to approve or disapprove school budgets so this year when you vote for school board members the budget question will be missing from that ballot. Cncl. DiLucia noted those two issues are contradictory and go against the governor's comments about saving money for taxpayers.

Cncl. Ronald Garbowski reported attending the Library Board Meeting on September 19th. The Board voted to change the date of their October Board Meeting from October 16th to

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

October 23rd due to the Special Election being held on October 16th. He urged residents to visit the Library website to view the various programs, as there is something for everyone. He reported the Library is holding their annual garden clean up on Saturday, October 5th from 9:00 AM to noon and any one volunteering for this event should contact the Library to sign up. Cncl. Garbowski recommended voters check their polling places on their sample ballots and to get out and vote on October 16th.

Cncl. William Sebastian reported the Economic Development Committee is continuing their efforts with the new signs and are in the early stages of reviewing a "Shop Monroe Program", which would help businesses within the municipality with their real estate taxes. The Business Administrator also attended that meeting to review that program. Cncl. Sebastian reported an Administrative Committee Meeting was held regarding some of the issues that were raised in the past regarding the Trio Tavern. He also congratulated Monroe Squad 29-4 for winning 1st Place in their category for the antique rescue truck at the Wildwood Firemen's Convention.

Engineer Chris Rehmann referred to his report of September 23rd outlining a number of informational items that are part of the infrastructure improvements and issues found in four developments in the township. One development is Serenity Woods. Mr. Fiore has indicated the agreement between Mr. Pantarelli, the developer of Serenity Woods, and the township has been approved but we have had no response regarding him moving ahead with the improvements and we were promised back in June that those improvements would be completed before September 1st. Mr. Fiore noted the agreement was just approved by Council last week and then approved by the insurance company. Mr. Rehmann noted he was under the impression that Mr. Pantarelli was moving ahead with those improvements but we will wait to see what happens in that regard. We do have residents in that development who have been living with uncompleted improvements for a substantial period of time. Mr. Rehmann also reported having video of the storm sewer pipe in Marissa Estates showing that the gas company actually bored through the HDPE pipe while installing their gas services. That problem is in the process of getting repaired. Another issue in that same development is a fence was installed in the storm water easement leading from the road back to a retention basin and the fence posts were put through the HDPE pipe. Another issue is a street collapse in the Preserves and the video provides sufficient evidence that the pipes in that development show cracking and there are other developments in the township that have the HDPE pipe. Initially HDPE pipe was installed about ten years ago after the New Jersey Department of Transportation and the Residential Site Improvement Standards, the ruling guide to development in New Jersey, allowed the pipe. Mr. Rehmann requested Council authorize the Solicitor to look into placing a moratorium on installing any more HDPE pipe in developments in the township until such time as a construction standard can be developed. Currently, the pipe is installed as long as there is two feet of cover over it. The road is graded down to the base, which may be only one foot off the pipe and then they run heavy equipment over that while building the road. The road may be elevated two feet but during the construction of it they have already damaged the pipe. There is specification that requires four feet of temporary cover over a pipe be maintained while building the remainder of the development but Mr. Rehmann noted he could not understand how that works during the construction of all the other improvements. This issue is not only in this township but is happening in other areas of the United States as well. Mr. Rehmann noted this could be creating a capital cost that he does not want to continue to occur. He cautioned there could be a risk of lawsuits from developers who want to use this pipe approved by the Residential Site Improvement Standards but Mr. Fiore could at least check to see what our options are. In Marissa Estates we have video of sections of pipe that have cracked so the developer is taking it out and replacing it. In the Preserves to remove and replace the pipe, the cost could be \$300,000.00 so we need to find a way to prevent this from happening again. Cncl. Sebastian questioned if there were problems with joints failing when HDPE pipes are connected to concrete pipes. Mr. Rehmann replied yes, they also fail when they go into an inlet because the inlet is on a concrete footing. He explained he has a report from the video people that shows the damage when fence contractors drilled to install a fence post. He noted he was not sure why a fence was installed along a township easement that is used for access to maintain the pipe and that is a question for the zoning officer, as those areas are supposed to be free and clear. Cncl. Sebastian noted the HDPE pipe is approved by the

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

State so how would that affect us placing a moratorium on it. **Solicitor Fiore** explained the Residential Site Improvement Standards allows it but the Planning Board can place certain conditions on it as part of the approval process. He noted the HDPE companies as well as concrete companies will say their products are the greatest thing in the world and from a labor standpoint, developers want to utilize the HDPE pipe because it is not as labor intensive as concrete. Fortunately we have only found a couple areas that have failed. **Cncl. Pres., Teefy** questioned Mr. Rehmann if he had heard about failures throughout the State. Mr. Rehmann replied he doesn't know about throughout the State but he knows of some in Atlantic, Camden and Gloucester counties where his office has familiarity with developments. Videos have been done and fractures have been found. What happens is the pipe is designed to flex and if there is not sufficient compaction at the midpoint of the pipe it flexes and breaks. The load is supposed to be transferred to the surrounding soil but if you are not standing over some contractors to make sure they get 95% compaction, it will not happen. **Solicitor Fiore** noted then it is not necessarily a product failure, it's an installation failure. Mr. Rehmann replied yes, unless the product isn't capable of withstanding the load and that has not yet been tested. There are two testing laboratories, one in Maryland and the other in Georgia, who will test the material he just needs to get samples to send to them to see if it meets the manufacturer's code. Mr. Rehmann noted if that's the case then he would recommend initiating a lawsuit against them in regards to the Preserves. **Cncl. Walter Bryson** questioned whether the specifications changed on those pipes within the last ten years. Mr. Rehmann replied yes, not the pipe but the installation of the pipe. He noted he just found really severe restrictions on that and will be preparing an ordinance amendment for the Land Use Code to require installation standards but he was not sure how many developers have already received their approvals up to this point.

Cncl. Pres., Daniel Teefy reported Parks and Rec is sponsoring the Fall Festival on Saturday, October 19th from 10:00 AM to 2:00 PM at Owens Park and the Halloween Parade will be held that night at 7:00 PM along Main Street. The Grand Marshall for the parade is Mr. Joe Mancini Sr., who was a Williamstown Warrior Football coach for a number of years, baseball coach for Monroe Township Little League and after his kids were no longer in the organization, he stayed as an umpire for over twenty years.

F.) GENERAL PUBLIC DISCUSSION

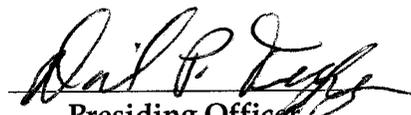
Cncl. Ronald Garbowski made a motion to open General Public Discussion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance. With no one wishing to speak **Cncl. William Sebastian** made a motion to close the General Public Discussion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

G.) ADJOURNMENT

With nothing further to discuss **Cncl. Ronald Garbowski** made a motion to adjourn the Regular Council Meeting of September 23, 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 September 23, 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 10/14/13
Date _____