

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
DECEMBER 4, 2013**

A.) CALL TO ORDER & ROLL CALL

The Ordinance Committee Meeting of the Township of Monroe was called to order at 7:00 PM by **Ordinance Committee Chairman, Cncl. William Sebastian** in the Second Meeting Room of the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the Open Public Meetings Act of New Jersey (NJSa 10:4-6 thru 10:4-21). Notices were placed in the official newspapers for the Township of Monroe (i.e.: Gloucester County Times, the Courier Post and the Sentinel of Gloucester County) and copies were posted on the bulletin board at the Municipal Complex.

SALUTE TO THE FLAG

Cncl. Pres., Daniel Teefy led the assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri		Excused
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ron Garbowski	Present	
Cncl. Daniel Teefy	Present	
Ord. Chairman, William Sebastian	Present	
Business Administrator, Kevin Heydel	Present	(Arrived 7:03 PM)
Solicitor, Charles Fiore	Present	
Deputy Clerk, Sharon Wright	Present	

B.) APPROVAL OF MINUTES

Cncl. Walter Bryson made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of November 7, 2013. The motion was seconded by **Cncl. Marvin Dilks** and approved by all members of Council in attendance with the exception of **Cncl. Ronald Garbowski** who **Abstained**.

C.) PUBLIC PORTION

Cncl. Garbowski made a motion to open the Public Portion. The motion was seconded by **Cncl. Pres., Teefy** and unanimously approved by all members of Council in attendance. With no one wishing to speak **Cncl. Bryson** made a motion to close the Public Portion. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council in attendance.

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D.) ORDINANCES FOR REVIEW

- **Dealers of Precious Metals**

Cncl. Sebastian noted his last conversation with the Police Department was that they were going to schedule a presentation on line for the vendors to review but Mr. Fera responded that he did not care about the presentation because he was not in favor of the program. Since that was the case Cncl. Sebastian felt Council should move forward with the ordinance and questioned whether Council had any questions or concerns about it. Cncl. DiLucia suggested the Police Department give the other dealers the opportunity to see the presentation even if Mr. Fera didn't want to. Cncl. Sebastian advised Det. Sulzbach already reached out to all vendors but Fera is the one who declined. He noted he would contact Det. Sulzbach and request that he see if the other dealers wanted to see the presentation.

- **Chapter 267-55 - Designating Bus Stops**

The Deputy Clerk explained DOT requires all township bus stops to be designated by resolution, which is how it has been done over the years. Recently DOT has been questioning some of the bus stops so the Clerk's office has had to search through those old resolutions to find out which bus stops have been approved so we felt if the bus stops were adopted by ordinance and codified into the Code Book it would be much easier to look them up. Cncl. Bryson questioned whether there were any plans to extend the bus stops past CVS. Solicitor Fiore explained bus stops are approved through the DOT and new ones most go through an approval process. The Business Administrator advised a request was made for new ones by Madison Apartments and across the street by the car wash. Cncl. Bryson questioned if that is done can we get a pedestrian walk. Mr. Heydel advised the pike is a State highway and the State would make that decision. Solicitor Fiore advised according to DOT standards an "up and over" would need to be installed there and that would be cost prohibitive. Mr. Heydel explained for new stops we could go through Clear Channel, which is the company who installs bus shelters with advertising or go through DOT who will install a bus shelter but they allow no advertising. He felt the location of one of the bus stop requests is actually already an active stop. In reviewing the bus stops listed in the ordinance Council felt the one located on the Black Horse Pike 700' west of Main Street may be the location being requested. Cncl. Garbowski will provide Mr. Heydel with the name of a contact person from the DOT that he can call regarding new bus stops. Cncl. Sebastian requested Mr. Heydel question DOT on why there is not a bus route between Glassboro and Williamstown. Cncl. Bryson noted that is proposed and will go along with the proposed rail line, which is going through the third stage for approval. Cncl. Sebastian polled Council and all in attendance were in favor of moving the ordinance designating bus stops forward for First Reading at the December 9th Regular Council Meeting.

- **Chapter 267-57 - Title 39 Private and Semipublic Premises**

Cncl. Sebastian noted Shorty's requested the Police Department enforce Title 39 traffic laws on their property and to do that an ordinance must be adopted. Cncl. Garbowski noted Wal-Mart is not included in the ordinance and he questioned if they should be approached and added to the ordinance. Solicitor Fiore advised they have not applied so he will contact them to see if they want enforcement on their property. He went on to explain this ordinance

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D.) ORDINANCES FOR REVIEW (cont'd)

could be adopted for First Reading at the December 23rd Council Meeting and Second Reading at the January 2014 meeting since there will be no change in council members next year. The only time there would be a problem carrying an ordinance into the next year is when the governing body changes. Mr. Fiore will contact Wal-Mart and include that location in the Ordinance if they want Title 39 enforcement. All members of Council agreed to that.

- **Chapter 272 - Mandatory Water Connection**

The Deputy Clerk explained Solicitor Fiore and Cncl. Bryson never had the opportunity to discuss the changes Cncl. Bryson requested to Chapter 272 so a copy of the current ordinance was printed and given to Cncl. Bryson for him to make his proposed changes so Mr. Fiore can draft the amendment. Cncl. Bryson explained he does not want the ordinance to mandate connection to municipal water when wells are not contaminated. Wells that are contaminated fall under the Spill Fund and the cost to connect is about \$2,000.00 to \$3,000.00, significantly less than the \$9,000.00 it will cost a resident whose well is not contaminated. Right now the law requires wells to be tested every three years when water runs in front of the home, but if the property is rented or sold it is mandatory that it be connected to public water whether the well is good or not. Cncl. Bryson requested connection be optional when a well is tested and those tests come back okay. He went on to explain how the MMUA could have made the situation in his development better if they would have installed street connections because once that street was repaved it cannot be opened again for five years according to another law. Now, if the well becomes contaminated the only option those residents have is to install a POET system. He explained in his development 30 homes were contaminated and connected to municipal water but 25 were left open because they were not contaminated. Council discussed when and why the ordinance was first put in place and how it was amended because of homes 200 feet off the road and the cost to farmers utilizing municipal water for their fields. Mr. Fiore explained the ordinance was adopted because the MMUA did not want to go through the expense of installing water lines unless we had mandatory tie in and the State required mandatory connection ordinances be adopted to get funding through the Spill Fund. Solicitor Fiore felt that if a well goes bad that would qualify as a reason to open the street to connect to municipal water. Cncl. Sebastian explained the MMUA's original plan for the Williamsburg Village was extended and they did not want to pay the additional expense to install stub-outs to every house not covered by the Spill Fund. Cncl. Bryson noted he would prepare the amendments to Chapter 272 for the Solicitor.

- **Bond Ordinance - Security Systems for Municipal Buildings**

Business Administrator, Kevin Heydel advised the Williamstown Fire Department has requested their key fob security system be updated so we are also looking into upgrading the Ambulance Hall, Cecil Fire Department, Williamstown Fire Department and the Municipal Building to a system like the Police Department just installed. He noted there is approximately \$80,000.00 remaining in the Capital Improvement Fund that could be utilized for this project. In addition to that metal detectors are needed in the Court Room and that will cost approximately \$4,000.00 to \$5,000.00. He noted he is not happy about installing them because it will cost

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approximately \$25,000.00 in overtime for an extra police officer to man them during court sessions. Council questioned whether a Special Officer could handle those duties but Mr. Heydel advised according to the FOP Contract Special Officers are not permitted. Council discussed how the key fob systems work, how they are set up to allow people access to certain buildings or rooms and how they hold data of who and what time a person enters a building. Cncl. Bryson spoke of articles written by Congressman Andrews regarding funding being provided to different communities to purchase equipment for fire companies and police departments. He felt it might be worthwhile to see if funding is available for the metal detectors or security system. Mr. Heydel noted he would not request funding for these small items but he would go for a larger project. Cncl. Bryson suggested requesting funding to purchase the new police radios that will cost approximately a quarter million dollars. Mr. Heydel felt it may not be that much because the County is supposed to be getting grant money for that. Cncl. Sebastian advised all police radios need to be replaced and the County will use any grant money they get to build another communications backup room and switch over to the 700 band but it won't trickle down. Mr. Heydel noted his understanding is that they will not purchase all the radios only a percentage of them. The township already put \$100,000.00 in capital towards that but we had to dig into that money due to the problems we are having with the computer system. Many of our computers are being run on XP and that is not going to be supported by Microsoft anymore so we need to upgrade all the MVTs and computers in the Police Department. The estimate for that project is \$30,000.00. Cncl. Sebastian questioned if they were going to seven or eight because eight is a touch screen. Mr. Heydel advised it would be seven. He also noted the Police Department needs a new fingerprint system, which cost \$30,000.00 but he is trying to get the Police Chief to use forfeiture funds for that. He went onto speak of a motor vehicle accident on the Black Horse Pike involving a street sweeper and a truck and noted we did not have the proper equipment to jack up the vehicles. The ambulance squad has approached him with a State contract quote to get the equipment for \$5,600.00 and he is going to try to purchase that equipment through fund transfers prior to year end. Cncl. Sebastian noted that is a quick fix to the airbags, which cost \$12,000.00. Mr. Heydel agreed; noting we are going a cheaper route, as the equipment seems to work very well. He went on to say the township received some good news regarding two litigation cases that were dismissed today. Both involved our ambulance crew responding to calls. On the first call a lady had fallen and refused treatment. Our police officer took her home and subsequently she died four days later and a law suit was filed but that has now been dismissed. The second one involved a patient who refused the stretcher and walked to the ambulance. She hit her leg on the back of the ambulance and apparently she had some type of blood disorder and subsequently died later on and her estate filed a lawsuit, which was also dismissed. The good news is our ambulance people are very thorough with their patient records and Title 59 immunities applied as well. Funds were reserved for those cases so that reserve now goes back into the pot, which improves our loss ratio. Cncl. Bryson noted there have been security issues at the Pfeiffer parking lot, Ireland House and the Hall Street School and he questioned if there was a possibility a security system could be installed at the back of the Ireland House and one at the Hall Street School to help preserve those assets. Mr. Heydel explained the problem with security systems is that they run on a DVR that breaks and stops recording. Cameras were installed at the Pfeiffer Center but what happens is the DVR does not constantly record, it

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D.) ORDINANCES FOR REVIEW (cont'd)

writes over and if you don't discover an incident in a couple of days it will be written over. Cncl. Bryson suggested a system that would not record but send pictures to the police station so they could see the drug deals going on behind the Ireland House. Mr. Heydel explained police officers do not monitor cameras; that was only done when we had dispatchers. **Cncl. DiLucia** noted there are inexpensive systems for about \$600.00 that can be downloaded to computers. The cameras have cards that can be set to delete after 30 or 60 days depending upon the size of the card. They give a perfect picture and have night vision as well. The cameras cost about \$300.00, are wireless, simple to set up and run on a router. Cncl. DiLucia noted he has one and can pick up anything that happened at his house within the last 30 days. The system grafts to the computer and shows in the form of a graft whenever there was motion and when that is clicked on it runs the film back for that time period. Cncl. Bryson suggested checking with Comcast regarding their security systems. Cncl. Sebastian explained that is not a video tape system; that is if someone breaks in an alarm goes off and you can check to see what is happening from your phone. Cncl. Pres., Teefy noted the system Cncl. DiLucia was speaking about was a home system and to move into a system that would handle a larger capacity would be more costly. He felt a system should be considered to protect our buildings as well as our parks and it should not be piece meal, it should be done right. He noted IT estimated systems for the parks to be \$17,000.00 to \$20,000.00 and explained there is a price tag associated with the number of days due to how much storage is being saved and how it is backed up. These systems are utilized all the time in the casinos and they have seven days of information they can get immediately. Anything past thirty days is archived and there is a cost to research it. Mr. Heydel indicated he would also speak to Verizon about those types of services. **Cncl. Garbowski** noted there is money available in the Parks and Rec Fund so security systems should definitely be considered. Mr. Heydel advised the lights and poles at Owens Park on the senior league and girl's softball fields need to be replaced, as the polls are rotting from the inside out. The cost for that project would be approximately \$400,000.00 and another spending ordinance will need to be done in order to move the money from the Developer's Fund, which has a balance of \$518,000.00. He spoke of joining a co-op, which will save 10% to 15% going through Musco Sports Lighting and the only thing he will need to do is advertise to go through the process, which should be done soon for the lights to be completed prior to opening day of baseball season in April. Cncl. Bryson questioned the life span of the polls and whether they would be wood or aluminum. Mr. Heydel replied the current polls are wood and have been there for thirty years. The new ones will be aluminum. Cncl. Sebastian questioned whether Council wanted to move forward with the key fob systems and then look into security systems in the future. All members of Council were in favor of moving the ordinance forward for First Reading at the December 9th Regular Council Meeting.

E.) MATTERS FOR DISCUSSION

- **Location of Trash Containers**

Solicitor Fiore noted at the last Ordinance Meeting comments were made regarding an ordinance on the books requiring trash receptacles being removed from the front of houses but

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E.) MATTERS FOR DISCUSSION (cont's)

that ordinance does not exist and trash containers can remain in front of a home 24-7. **Cncl. Sebastian** questioned whether Council wanted to adopt that ordinance in light of some of the complaints that have been received. He spoke of parking issues at Amberleigh caused because trash containers must be kept in garages that are not designed to fit a car and trash cans. Homes with two cars must park on the street and that causes problems for fire trucks getting down the street. **Cncl. Sebastian** polled Council and all were in favor of adopting an ordinance to require trash containers to be removed from the front of properties.

Cncl. Dilks spoke of the complaints he has received regarding the township picking up trash for small commercial properties on Main Street and the Black Horse Pike and he felt Council should either offer those businesses the option of paying an additional fee to keep their containers or require them to get a dumpster. **Mr. Heydel** explained the property **Cncl. Dilks** is talking about has five different tenants that all have trash cans. That should not happen, there should be a dumpster there, as the landlord is responsible and should collect money from the rent for trash pickup. **Mr. Fiore** cautioned that the township may have to reimburse the multi-dwelling unit on Main Street (*Washington Hotel*) under the Condo Services Act since our ordinance says the township is not to pick up commercial. We must be careful not to be selective to small and large businesses; we need to be consistent across the board so either all commercial is picked up, or none is. **Cncl. Bryson** noted recycling is picked up from businesses because we get credit for that and he questioned whether it was worthwhile to collect those recyclables. **Mr. Heydel** advised we are getting maxed out collecting them but it is worthwhile to a point. He gave the example of John & Doug's and advised the township gets credit for all the cardboard and bottles picked up at that business. He also advised the township picks up dumpsters at some other businesses and gets credit for those recyclables. Council discussed establishing a fee for picking up commercial trash and requested **Mr. Fiore** and **Mr. Heydel** to look into that issue so it can be discussed further at the beginning of next year.

F.) NEW BUSINESS - None

G.) OLD BUSINESS

Cncl. Pres., Teefy referred to the presentation given at the last Ordinance Meeting regarding the electric aggregation program and noted at the time it sounded great but in thinking about it should we, as the government, dictate to the citizens what electric program they should have. **Cncl. Bryson** referred to the article sent to Council from the CAMA and noted that was interesting and did relate to what those people were proposing. During the presentation Council was told that this program would not affect the utility companies but an article from AARP stated in New Jersey utility companies are requesting huge increases in rates and the governor is proposing to deregulate utilities even more. AARP urged people to not let that happen or let the increased rates go into effect. **Cncl. DiLucia** felt that article was not so much about deregulating as it was about the commission, which oversees and is supposed to

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G.) OLD BUSINESS (cont'd)

control public utilities, not really looking into what is happening with their excess money. Companies are spending their excess money and then requesting rate increases so Governor Christi is trying not to control that auditing process of where the money goes. Cncl. DiLucia expressed his concerns that the aggregation program sets up a situation where bids can be fixed. The consultants did address what was in the CAMA article because they said at the meeting they would give the municipality a contract that would guarantee a rate no higher than the utility. In Illinois the utility lowered their rate and there was no provision in the contract with the third supplier to equal that rate at the time so since then they corrected that problem. There seems to be two separate interests; one is the company that will serve as a broker and the other is against deregulation and that could be the electric companies trying to discourage municipalities from buying in mass. Buying in mass would work in theory if every household in this town would initially go with the contract, as that gives tremendous bargaining power, which is what you want in a deregulation situation. Cncl. DiLucia cautioned the program needs to be monitored very carefully to make sure companies are not getting together and bidding a tenth of a cent behind what the utilities are charging. In that case there would be no gain and residents would have been forced into a government controlled program. He noted companies are offering cheaper rates of 8½% while the utility company is charging 9½% but that rate is variable and before people know it they are paying 11¢ or 12¢ and when they want to switch back they're told the contract is for a year. People need to be educated to understand these programs and Council is not equipped to do that. Cncl. Bryson spoke of New Jersey having high rates and noted deregulation is nationwide so why doesn't New Jersey have the same 4¢ kilowatt rate that is being offered in Illinois, which gets their electricity from TVA, the Tennessee Valley utility that has the lowest kilowatt rates. Council noted the price deals with supply and demand and the transport of the commodity and New Jersey has the highest demand because we have the highest per capita demographic in the Country and are in the smallest land mass. Cncl. Pres., Teefy felt there would be many problems if the municipality dictated what electric supplier everyone in the municipality had to use due to the loophole in the contract regarding rates. Cncl. Sebastian noted if this program was that great why didn't the County mandate everyone in Gloucester County to use it. No, they put it out to the municipalities because they do not want to share the blame if there is a problem. Mr. Heydel explained the County can't do that because the way State Statute is written it must go through the municipality. He went on to say how he never wants to be the first he wants to see how a program works in other places before he brings it here. Cncl. DiLucia noted if we were to join this consortium and our first contract was 9½¢ every other contractor in this State is free to lower their rates below that negotiated number and there is no guarantee against that. If that happens we will look like we threw people into a program that is going to cost them more for a year or two. He noted the guys who control these programs are the ones in the driver's seat; not the township, which is what he is concerned about and the reason why he does not want to be the first in this program. Solicitor Fiore spoke of contacting Matt Lyons, Counsel for Gloucester County who advised that the County is only going to facilitate the process. They are only introducing the product, not forming an advisory committee and are going to let each municipality run with it. Cncl. Pres., Teefy noted we'll just wait until they get back to us. Cncl. Sebastian added let the County call and then we can ask them why they can improve the Woolwich intersection but not ours at Fries Mill Road and Route 322. He went on to speak of a

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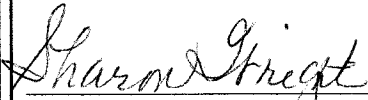
G.) OLD BUSINESS (cont'd)

newspaper article that said the County was improving the intersection at Route 322 and Kings Highway in anticipation of future construction in that redevelopment area. Those improvements were being made because of the high accident rate at that intersection. Cncl. Sebastian noted we have the same situation at the Fries Mill Road intersection and have been telling them about it for the last ten years but nothing has been done. Cncl. Bryson noted that's because all the towns closest to the river get all their attention.

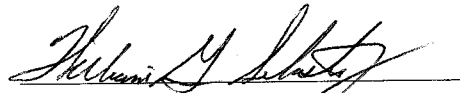
H.) ADJOURNMENT

With nothing further to discuss Cncl. Garbowski made a motion to adjourn the Ordinance Committee Meeting of December 4, 2013. The motion was seconded by Cncl. Dilks and unanimously approved by all members of Council in attendance.

Respectfully submitted,



Sharon Wright, RMC
Deputy Clerk



Cncl. William Sebastian
Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of December 4, 2013 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted SW Date 1/8/14
Approved as corrected _____ Date _____