

**MINUTES
SPECIAL COUNCIL MEETING
TOWNSHIP OF MONROE
JANUARY 8, 2014**

A.) OPENING CEREMONIES

CALL TO ORDER

The Special Council Meeting of the Township of Monroe was called to order at 7:00 PM by **Council President, Ronald Garbowski** in the Joe Pace Meeting 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.

SALUTE TO FLAG

Cncl. DiLucia led the assembly in the Pledge of Allegiance to our Flag.

ROLL CALL OF TOWNSHIP OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri		Excused
Cncl. Marvin Dilks		Excused
Cncl. Rich DiLucia	Present	
Cncl. William Sebastian	Present	
Cncl. Daniel Teefy	Present	(Arrived 6:50 PM)
Cncl. Pres., Ronald Garbowski	Present	
Solicitor Charles Fiore	Present	
Business Administrator, Kevin Heydel	Present	
Director of Public Safety, Jim Smart	Present	
Officer Mark Burton	Present	
Deputy Clerk, Sharon Wright	Present	

B.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

Cncl. Sebastian made a motion to open the Resolutions Scheduled - Public Portion. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council in attendance.

Tom Weeast, of Lake Avenue Auto Body questioned what was going on because he was put on the 2014 towing list but now he understands that he is no longer on the list.

Solicitor Fiore explained Mr. Weeast is currently on the towing list and that correspondence was received from an attorney for one of the towers regarding potential litigation. The purpose of the Closed Session tonight is to discuss the contents of that letter and whether or not Council will take any action with respect to the people who are already approved on the towing list. Mr. Fiore noted "*for the record*" it was his understanding that Mr. Weeast is currently on the 2014 towing list. The reason this is going to be discussed in Closed Session is due to potential litigation. Under the law generally all items are discussed pursuant to the Open Public Meetings Act but because of the potential litigation we will discuss it among Council, with the Public Safety Director and Police Officer who did the inspections. If any action is taken you will be advised and given advanced notice of it.

Mr. Weeast noted he was driving into Williamstown today and saw a giant sign that said "Come Grow With Us Monroe Township" but it is getting tough for a businessman to operate a business. He noted he has better things to do than come to this meeting and so do all the other towers. He added if you have a thorn in your side, what do you do, you pluck the thorn. The towers all get along so if there is someone here that can't get along with the rest of them maybe that's the tower that should be gone.

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

Solicitor Fiore suggested that Council make no comment to any of the public comments because of the potential litigation. He explained all comments will be on the record but he urged Council to make no comments on the record.

Domenic Burgess, B & B Auto Repair noted he was informed that one of his deficiencies was a permit for a building that was originally put up as private and then changed over to commercial. He noted everything has been done on that; all permits are done, everything through the township has been done and everything from the Pinelands has been done prior to November 1st and was submitted with his application, so everything should be good. He noted he was also informed that one of his trucks does not have an emissions sticker and anyone who works with trucks or inspections knows that a vehicle from 10,000 to 18,000 does not need an emission sticker, which is why his truck does not have one. He noted there are other trucks in service in the township that also do not have that sticker.

Tom Weeast, Lake Avenue Auto Body noted it seems we are having trouble with the towing ordinance; adding that he doesn't know all the legalities like Council. He questioned whether the ordinance could have a statement like those on ballots that explain what the questions people are voting on really mean. If the ordinance was explained in that way it would help towers get on the list but not make it easier for them. When inspections are done if an inspection sticker is overdue they should be told about it and then it would be taken care of right away. He referred to the Welcome to Monroe Township grow with us sign and said it says come grow with us, not let's beat them down. He questioned Mr. Fiore on whether a statement could be included with an ordinance. **Solicitor Fiore** replied that defeats the purpose and in his opinion the ordinance is pretty clear cut. We have spent about seven years on it and whether or not you feel some of the provisions should or shouldn't be in there is a different issue. Mr. Fiore stated in his mind the language is pretty clear but maybe he is assuming too many things. He noted obviously Council will be taking a look at the ordinance this year because that is one thing they have talked about for the last couple of years. We thought at one point in time the ordinance had evolved into something pretty good. The underlying theme throughout the entire ordinance is public safety and that is the bottom line. Whether some of those provisions should or should not be in there because they do not promote public safety is maybe why we need to take a look at it. The whole idea is to get the cars off the road as fast and safely as possible and that is the goal of the ordinance. Mr. Weeast questioned whether there were many complaints in the past. Mr. Fiore advised he would rather not say but his understanding is that there have been complaints and we have attempted to address them.

Tom Stalba, A & A Salvage, 241 East Piney Hollow Road, noted the ordinance states there can be ten towers and he requested that Council consider cutting that number down to the existing seven towers when they review the ordinance since the other three towers previously on the list do not seem to want to be on again.

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

R:25-2014 Resolution Authorizing Closed Executive Session Of The Township Council Of The Township Of Monroe To Discuss Potential Litigation Involving The 2014 Towing List

Cncl. DiLucia made a motion to approve Resolution R:25-2014. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council in attendance.

C.) GENERAL PUBLIC DISCUSSION

Cncl. Sebastian made a motion to open the General Public Discussion. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council in attendance.

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C.) GENERAL PUBLIC DISCUSSION (cont'd)

Dominic Burgess, B & B Auto Repair questioned whether the towers would be informed of any decision Council makes tonight and if so should they stay until after the Closed Session. **Solicitor Fiore** explained if in fact any action is going to be taken on any of the towers you will be sent a letter advising of the potential action being taken and the reason for that action. The towers will be given an opportunity at a public meeting to address the action. Mr. Fiore explained if any action is going to be taken, it will not be announced tonight; it will be announced by a formal letter that Council will authorize him to generate and the towers will be asked to come back to a meeting.

Cncl. Sebastian added nothing official can be done during a Closed Session Meeting. Council can only direct the Solicitor to send a letter. Mr. Fiore added at the end of the Closed Session it will be announced that Council gave him certain direction to take action, there may not be any specifics. He advised the towers can certainly stay, as that is their right. The ordinance Committee Meeting is scheduled to begin around 7:00 PM so Council only has about 15 minutes for the Closed Session Meeting.

With no one else wishing to speak **Cncl. Sebastian** made a motion to close the General Public Discussion. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

Cncl. Bryson made a motion to adjourn into Closed Executive Session. The motion was seconded by **Cncl. Sebastian** and unanimously approved by all members of Council in attendance. At this time Cncl. Pres., Garbowski requested all members of the public to excuse themselves from the room.

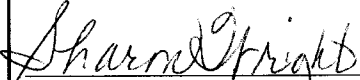
CLOSED SESSION


Solicitor Fiore advised there was a discussion during the Closed Session regarding the 2014 Towing List and he was directed to forward correspondence to the affected tower notifying him that action will be taken on Tuesday, January 14, 2014 at a Special Council Meeting to be held at 7:00 PM.

D.) ADJOURNMENT

With nothing further to discuss **Cncl. Walter Bryson** made a motion to adjourn the Special Council Meeting of January 8, 2014. The motion was seconded by **Cncl. William Sebastian** and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Sharon Wright, RMC
Deputy Clerk


Presiding Officer

These minutes were prepared from excerpts of the tape-recorded proceedings of the Special Council Meeting of January 8, 2014 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 _____ *AW* _____
Approved as corrected _____

Date 1/27/14
Date _____