

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
AUGUST 8, 2016**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Cody D. Miller** at **7:01 PM** in the Conference Room on the first floor 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, Courier Post and the Sentinel of Gloucester County). A copy of that notice has been posted on the bulletin board at the Municipal Complex.

SALUTE TO OUR FLAG – **Cncl. Dilks** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Pres., Cody D. Miller	Present	
Mayor, Daniel Teefy	Present	
Business Admin., Kevin Heydel	Present	(Arrived 7:10PM)
Solicitor, Charles Fiore	Present	
Engineer, Kathryn Cornforth, ARH	Present	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz	Present	
Dir. of Public Works, Mike Calvello	Present	
Dir. of Comm. Dev., Rosemary Flaherty	Present	(Arrived 7:05PM)
Deputy Mayor, Andy Potopchuk	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Multi-Modal Transportation Plan**

Kathryn Cornforth, PE - Adams, Rehmann & Heggan was in attendance to conduct a Presentation on the above referenced. Along with the Plan that had been submitted previously to both Mayor and Council a map of the area was displayed. She explained how the township had received a grant through the Delaware Valley Regional Planning Commission (*DVRPC*) to conduct such a project. The purpose of the plan was to do an evaluation of the township's Multi Modal System which is how people can get around, not with just a vehicle it could via biking, public transportation and pedestrian modes. We looked at distinct features within the township as well as trying to make plans for future development be it public or private that may come through. Ms. Cornforth then went through

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certain categories included in the plan and one of the things we were able to do in conjunction with the plan was to develop a Five (5) Year Capital Road Program and included a kind of summary budget sheet within the Multi-Modal Plan. What we did was to go through the township and rate a majority of the township roads. We didn't do all of them, we did not include private roads because the township does not have to maintain those. We also did not rate the roads still on bonds as well as roads that have recently come off bonding. We focused on roads that are in older developments and those that have kind of been out there for a while. Ms. Cornforth then noted on the map that was presented the different colors dealing with the type of roadways improvements for each particular type road. We then picked approximately 20 or so roads and did an intensive investigation on them along with running estimates on them and those were the roads that we decided should be part of the five (5) capital plan. We split the township into four (4) sections and picked roads within all districts so that all the money is not concentrated in one area while still trying to assess the worst roads in the township. We made an assumption that the township would be willing to spend roughly \$1 million dollars a year on the road program and this equates to somewhere around getting five segments of roads done per year. Ms. Cornforth continued and noted this number is obviously something that can change based upon how much money the township wants to spend. There are a number of roads that can be milled and overlay and last year the township worked in conjunction with the county to possibly establish a program with them making this significantly cheaper than traditionally bidding projects out. She went on to speak on the conditions of the roadways where some were public, private and still on bond, and others that were maintained by Public Works which means they are still in pretty good condition. There was overlay which means the roads are still in relatively good condition and an overlay is just going to extend the life of the road. There was mill and overlay where the foundation of the subgrade and the base course of the road is good but it needs a new surface. Then there was full re-construct giving Corkery Lane as an example. Mayor Teeffy then indicated it would be Corkery Lane from the Black Horse Pike to Malaga Road as this section is currently under design.

Cncl. McIlvaine questioned the status on the funding for Corkery Lane as the governor squashed our grant money for the project. Ms. Cornforth responded that the money should come back because it is allocated, the dilemma is they don't want to spend the money that is in the fund and draw it down to zero until they have a way to replace it. **Cncl. Caligiuri** questioned what is the durability of the expenditures and what kind of life expectancy for the roadways can we expect. Ms. Cornforth responded that we picked those roads that would afford approximately a 15 to 20 year minimum. There are some developments where the roads haven't been touched for some 20 years, where it has been up to public works to maintain them adding there are a lot of old roads out there. There was then a brief discussion on the transportation trust fund. **Cncl. Bryson** questioned if the work we are doing would be coming from state funding or from the local tax base. Ms. Cornforth noted that it would be up to the township to decide whether the work is done through bonding, etc. **Cncl. Dilks** questioned with the road work that is projected to take place in the near future would the MMUA be contacted in regards to upgrading the water system or anything like that because after the road is milled and paved or overlay they probably won't be touching those roads for some time. Ms. Cornforth noted, traditionally

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what we do, the 5 Year Capital Plan is something that is dynamic it is not set in stone it's kind of like a living document and one of the things that we (ARH) actually do, if we were to decide these are the roads we are doing this year, we send out a notice to all the utility companies, the MMUA included, we give them a base plan of our limits, we ask them not only to verify their underground utilities but also let them know when a project is going out to bid so they have notice to upgrade their facilities otherwise it will be under a moratorium and you have lost your window for five years.

Ms. Cornforth then noted the first 10 streets which ARH has recommended for roadway improvements in the 5 Year Capital Plan are as follows:

<u>Year #1</u>	<u>Year #2</u>
S. Shore Drive, Phase 1 – Reconstruct	S. Shore Drive, Phase II – Reconstruct
Kirkwall Drive – Mill & Overlay	Kent Road – Mill & Overlay
Ridge Drive – Mill & Overlay	Ireland Terrace – Mill & Overlay
Forest Drive, Phase 1 – Mill & Overlay	Avery Drive – Mill & Overlay

Year #3
Laurel Avenue – Reconstruct
Whispering Woods Drive, Phase I – Mill & Overlay
Flanagan Avenue – 2 inch Overlay
Forest Drive, Phase II – Mill & Overlay

Mayor Teefy questioned where Whitehall Road came in on the list. Ms. Cornforth noted Whitehall Road was put into Year #5, part of the reason was because of how it ties in with Lower Victory Lakes Dam. She explained how Corkery Lane was not part of this plan because it is already under design and as soon as the ban gets lifted by DOT we will be able to put that project out to bid. **Mayor Teefy** then noted that we will do whatever we can in regards to Corkery Lane so that, if the ban gets lifted, we are ready to roll. Ms. Cornforth noted the plan should be done in the next few weeks so when the ban is lifted it is sitting up at DOT for approval. She then went on to reference the “*bike trails*” and spoke on the existing trail which is pretty much the township bike path. We also reached out to different entities to see where additional trails may be warranted. One big item was that people are waiting for the path to get to Scotland Run Park. There was also recommendations made for areas along the bike path to rest and relax, installing bike racks and additional safety measures that could be taken to enhance the bike path and different ways to connect and extend the bike paths. **Mayor Teefy** questioned if Blue Bell Road was wide enough for a bike lane. Ms. Cornforth noted that many times when the county installs a bike lane they pick a road that is big enough so that all they have to do is change the six inch stripe to an eight inch line. You can remove striping and re-stripe roads along with other things however she did note traditionally the county just likes to make a new thicker white line and add the biking symbols without having to widen the road. Another area reviewed was “*pedestrian facilities*” and taking a look at it from a sidewalk perspective and how people get around. The township has a lot of developments where sidewalks are internal to them but once you get to the arterial roads (*many state or county roads*) there kind of is nowhere to go. She noted there is

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a funding application for safe routes to schools which is for getting sidewalks (*on one side*) down Blue Bell Road to connect all of the developments near the Corkery/Blue Bell intersection down toward Virginia Avenue at the bike path. This would enable kids to get to school who are within a walking zone. She then spoke of other areas that could be looked into and ways that we can move forward to promote walking throughout the township. Ms. Cornforth then spoke of the "transit" stops and how they are primarily along the Black Horse Pike and Sicklerville Road. We noticed there are not many assessable ways to get to the stops and many of the stops themselves are not actually ADA compliant. Also, as part of the project we rated all the handicapped ramps throughout the town and it was no surprise to find that many of them are not ADA compliant as some 10 years ago the rules were somewhat different. Unfortunately, now the rules are interpreted a bit different however community development grants can be used for this type of project within eligible areas. Ms. Cornforth then commented on "parking" and noted they were unable to find any particular parking studies and a recommendation was put forward to see if it was feasible to have one conducted, explaining just what that would entail.

Cncl. Bryson noted some 7-8 years ago the township put a push on a proposed high-speed rail system that did not go through. Another system went through which was more like a trolley car type of arrangement from Camden down through Gloucester Township. He noted high-speed elevated rails are something that the federal government looks at doing and this was a complete reversal of that. What he would like to see our township do again, working in conjunction with other townships, is to work on the Port Authority one more time and try to get that proposal back on track again to resurrect the project. He felt a project of that magnitude would be amazing, it would help us to grow and make things more convenient for our residents to go to the areas that do have the jobs.

Cncl. Pres., Miller noted he believed the state does actually have the proposal and they are looking for the funding mechanism. To his knowledge, the proposed rail would get off where Glassboro is because of Rowan University and all the development and construction. Again, he noted there is a plan through the state for that. **Cncl. Bryson** noted there is a plan through the state but there is no money. Ms. Cornforth advised that our office through Gloucester County is working on the design of the extension to the Gloucester County path which will actually take you through Elk Township and eventually to Rowan. Part of the trail that we are to be planning is the light rail that is supposed to be coming. **Cncl. Bryson** noted to run a high-speed rail line from Camden to a university is to me fruitless. Because most of the people here would rather have a way to get to their jobs. When this proposal was originally done there was a good many objections to running that rail line down the Conrail right-of-way, and totally ignored by the governor at the time and some people in this county. They just pushed through with their project because of the redevelopment of Woodbury. Glassboro with the end of the route by Rowan was something that happened afterwards. The reason the federal government backed out almost immediately was because the ridership wasn't there and the funding was so/so. He went on to speak of other high-speed rail systems throughout the country and how it has helped to alleviate traffic and improve the environment.

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Mayor Teefy advised that Winslow Road will be getting paved very soon and requested Kathryn to give an update. Ms. Cornforth noted today there was a concrete crew working and along Winslow Road they have ripped out five (5) handicapped ramps which need to be replaced and brought up to compliance. Also on the alternate (*Princeton & Gordon*) there are 4 or 5 ramps that need to be replaced. When the ramps are replaced they should be able to move forward with paving. She noted she spoke with the project manager (*Arawak*) on site and was advised that this is lining up with his schedule really well because he has had some jobs shut down due to the DOT ban. His paving crew is ready to follow through although she did not have a definite date as to when they would commence paving. The detour to be put in place should last approximately one week. She was assured that the road will be paved prior to the opening of school, there may be some punch list items remaining but the road itself should be paved and the major closure should all be happening before school starts. There were questions and discussion on the detour (*New Brooklyn to Malaga*) that would be used. **Director of Public Safety, Jim Smart** questioned the emergency services access during the time the detour is in place. Ms. Cornforth advised that emergency services (*ambulances, fire trucks, police vehicles*) are always allowed through the job site and she will advise all concerned via email on the date the paving will start.

Business Administrator, Kevin Heydel advised of a change order that will be forthcoming on the Winslow Road project (*road improvement fund*). Ms. Cornforth explained between the two Bryn Mawr Drives (*Villas of Williamstown*) there is a previously paved section. It seems there has been many requests from residents who live there who like to walk the loop of the internal sidewalk down Winslow Road and there are two (2) properties where the rear yards front Winslow Road where there is missing curb and sidewalk. As part of this project we are going to connect the dots with the curb and at least get the curbing installed. We extended the unit pricing for the concrete to the contractor to see about actually getting the sidewalks installed and quite frankly you could get a better price bidding that out separately. Ms. Cornforth then noted we are also in the process of getting a price from the contractor for clearing the trees. The curb and a little bit of widening that is required to keep the curbing in line will happen as part of this project. Realistically, this part of the project will not happen until after they pave as there is not a major shut down required for this. The only reason the change order has not been put forward yet is due to waiting on the price for the curbing.

- **Friends of Victory Lakes Association**

Cncl. Pres., Miller advised that **Cncl. Heffner** and **Director of Community Development, Rosemary Flaherty** along with himself met with the association with respect to the George Ruch Building. The association has stepped up their game in terms of taking care of the property and they would like to maintain the building itself. They requested or have an interest in potentially leasing the building or working out some type of an agreement with the township where they would be able to utilize the building but also be able to maintain it. In doing this there would be less work and less resources taken from the township. Mrs. Flaherty noted this was a very aggressive organization with both retirees and young families who are doing a lot of amazing things down there.

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B.) MATTERS FOR DISCUSSION (cont'd)

It was once their building and they are showing an interest in taking it back. She felt it would be a great idea to let them do that. **Mayor Teefy** advised that he was in total favor of letting the association have the building back, he felt it was a good move for us and for them. **Cncl. Pres., Miller** noted that our solicitor had some concerns about this and he was also aware that other municipalities have done lease agreements and perhaps maybe a one, two or three year lease where we lease it to them for a short period of time just to make sure they are able to maintain the workload associated with maintaining the building and the land. **Cncl. Pres.**, noted that he did not know what everyone's thoughts were on this. **Solicitor Fiore** noted that he does not have a personal opinion but he noted what options were available to the municipality. One was to transfer the property or perhaps a lease agreement. **Cncl. Pres.**, noted his concern was the building being able to be maintained as I don't want them to get to a point where they do this and then say oh, we can't maintain it anymore. **Cncl. Bryson** questioned if they have an HOA fee. The response was, no. He then questioned how do they plan on raising the money to maintain the building? **Mrs. Flaherty** responded that they have a financial mechanism in place already, where they have a fee to use the lake and they are revitalizing the entire lake area. **Cncl. Caligiuri** noted there is a membership fee to join the lake association and it varies depending on your distance to the lake, if you are closer to the lake you pay a bit more. That money is used to pay off the NJDEP debt for the dam restoration which is around \$900,000.00 and also used for maintenance of that building used for special events. **Cncl. Bryson** brought up the fact of whether they are financially responsible to assume that building. **Cncl. Pres., Miller** noted that was his initial concern. Now, I don't know how everyone else feels about it but we could do this where, if we decide to move forward with the property transfer or we could, as a municipality, enter into a lease agreement with them to see if they are able to handle the task of maintaining that building and doing things adequately. **Cncl. Pres., Miller** then indicated the he was in favor of a lease agreement. He then polled council for their input with respect to leasing the George Ruch building to the Friends of Victory Lakes Association.

Cncl. Caligiuri noted that was fine, I mean it was originally a building much like Timber Lakes has an association building and that used to be the building for Victory Lakes before Friends of Victory Lakes Association (*inaudible*). **Cncl. Mellvaine** advised that he preferred not to lease, just give it to them. **Cncl. Heffner** noted he felt the same, I don't want to lease it, let them have it. **Cncl. Bryson** noted I think we should lease it to them but initially on a short term lease to see how they handle the building. **Cncl. DiLucia** noted he felt lease with an obligation for specific maintenance requirements with the building. **Cncl. Dilks** indicated to just give it them, give it back to them. **Cncl. Pres., Miller** then noted the majority of council has spoken, transfer the property. **Solicitor Fiore** then indicated that under statute there may be a bid process and authorizing resolution required. **Cncl. DiLucia** noted that it seemed to him the vote was 3 to 3. **Cncl. Pres., Miller** then noted Frank actually just told me. **Cncl. DiLucia** noted, oh he changed his vote after you declared it. **Cncl. Caligiuri** then noted the only option on the floor at that time was to lease it, that was the question. There was some confusion on the original question posed and for clarification purposes **Cncl. Pres., Miller** called the question, are we going to do a short term lease agreement or transfer the property.

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B.) MATTERS FOR DISCUSSION (cont'd)

Cncl. Bryson made a motion to approve a short term lease. The motion was seconded by **Cncl. DiLucia**.

**ROLL CALL VOTE TO APPROVE A SHORT TERM LEASE TO THE FRIENDS OF
VICTORY LAKES ASSOCIATION WITH REGARD TO THE GEORGE RUCH
BUILDING**

3 AYES (Bryson, DiLucia, Miller)
4 NAYS (Caligiuri, Dilks, Heffner, McIlvaine)

Tally: 3 Ayes, 4 Nays, 0 Abstain, 0 Absent. Motion to approve a short term lease to Friends of Victory Lakes Association **did not** carry.

Cncl. Caligiuri made a motion to transfer the property. The motion was seconded by **Cncl. Dilks** *with the caveat that it will have to go out for bid process*.

**ROLL CALL VOTE TO APPROVE THE TRANSFER OF PROPERTY TO THE
FRIENDS OF VICTORY LAKES ASSOCIATION WITH REGARD TO THE GEORGE RUCH
BUILDING.**

4 AYES (Caligiuri, Dilks, Heffner, McIlvaine)
3 NAYS (Bryson, DiLucia, Miller)

Tally: 4 Ayes, 3 Nays, 0 Abstain, 0 Absent. Motion to transfer said property to Friends of Victory Lakes Association was approved with caveat that it will have to go out for bid process.

Solicitor Fiore indicated for clarification the bid process must be followed as this is public property. He will prepare the paperwork for the agenda of the Monday, September 12th regular council meeting.

- **Live Streaming – Council Meetings**

Cncl. Pres., Miller noted there is a new tool that people are using via social media to have a live stream of the council meetings so those individuals that can't attend the meetings would be able to view the actual council meeting live from their social media stream on Facebook. He contacted the solicitor on this as he had some concerns and also there is a possibility that a resolution of some kind may be in order if we decide to move forward with this. **Solicitor Fiore** advised in looking into this there are not many municipalities throughout the state that utilize live streaming as it is a new tool. Mr. Fiore suggested that this be done via ordinance and that Chapter 4 (*Administrative Code*) of our code be revamped as it deals with council meetings and how they are conducted. One thing that live stream kind of brings to the forefront is that a lot of times many people do not come to council meetings as they do not want to get up in the public portion because the TV camera is turned toward them. One of the restrictions involved with live streaming is that the individual is not to be on camera. In other municipalities that have live streaming they will do away with having cable TV come out and taping the meetings, they may have a contract of some kind where the cable company will do the live streaming but that is a little bit different. He then

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discussed some of the things we need to talk about whether it be in committee form or recommendation of the full council and mechanisms that can be put into place to protect everyone, most importantly the public. The whole idea is that you have an open forum for the public to view the meeting. **Cncl. DiLucia** requested, at the next meeting, someone knowledgeable on the subject make a presentation. **Cncl. Pres., Miller** indicated that wouldn't be a problem that he could put something together, adding this only refers to the regular council meetings not work sessions nor ordinance committee meetings. We actually did this on Sunday for National Night Out and we had a lot of people who were able to see all the festivities that occurred. He then noted his goal was to use an I-pad and have it positioned in a place where you would be able to see the entire council, you would get to see all the faces and be able to see everyone talking. It was noted that there is still going to be a regular TV telecast going on but there will also be a secondary live streaming of it. The solicitor stressed this would not be the official recording. **Cncl. Pres., Miller** noted we do not want this to be the official record where it could be requested via an OPRA request, it is just a live stream of a council meeting where you get to see what is happening in real time. The solicitor advised this would still come under the OPRA law but it is not the official recording, some municipalities enter into agreements with the local cable TV channel to have them live stream it and in that case it would be the official recording.

Cncl. Pres., Miller noted he had a conversation with both the mayor and Mr. Heydel on the payment of the fire hydrant maintenance bill and requested that someone put forth the motion to pay the bill. He then entertained any questions on the matter. The solicitor noted for clarification that this is a line item in the budget. **Cncl. Pres., Miller** noted but someone made a motion to withhold it (*during budget process*). There was then some discussion on this. **Cncl. Pres., Miller** advised that his last conversation with Mr. Moore, Executive Director of the MMUA and Ed Haaf, Superintendent was with regard to all the hydrants being up to the NFPA 291 standard, this being that all the hydrants are marked with regard to the flow pressure. He added that we have paid this bill before and Mr. Heydel also advised we always paid this bill and the current bill is in the amount of \$45,000.00. He then explained that Mayor Gabbianelli had negotiated it down to approximately \$24,000.00, when Mayor Teefy took office the bill was brought up to about \$54,000.00 and Dan negotiated it down to \$45,000.00 and that is what we paid last year and that is what is sitting out there today that I am waiting to pay.

Cncl. McIlvaine then noted that his vote for the budget was a yes, *if* that was removed (*bill for fire hydrants*). I only voted yes on the budget with that line item to be removed. Now, you are asking for me to vote to pay for something that I voted yes on with the provision that this bill be removed. **Cncl. Pres., Miller** noted he was not sure that was the case. **Cncl. McIlvaine** responded, that was the case for me. **Cncl. Pres., Miller** then noted you (*McIlvaine*) may have been the only person that said that. **Cncl. McIlvaine** again noted that is why I voted yes on the budget, if that was removed. I want that known; that was the caveat for me voting yes on the budget because I *do not* support this payment. It is not fair to every tax payer because they do not reap the benefits of fire hydrants where they live. I am lucky enough, I have one. But there are many people who do not and I don't feel that it is fair because #1 that we pay for maintenance of something that doesn't belong to us

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and #2 that the taxpayer pay for something they do not have access to. If you have a fire hydrant near your house it affects your fire insurance, so there is a benefit if you have it. If you don't have it there is not a benefit and it is not fair for every taxpayer to pay for this bill. There was then a brief discussion with regard to proper procedure in making a motion on this. It was indicated that a formal motion should be made for payment of the fire hydrant bill at the regular council meeting.

C.) PUBLIC PORTION

Cncl. Bryson made a motion to open the Public Portion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of council in attendance.

Joe Kurz, President WFC questioned Resolution R:155-2016 (*Resolution Of The Township Council Of The Township Of Monroe Authorizing The Request For Proposals (RFP) For Fire & Emergency Medical Services Study*). He noted last month you talked about looking into Fire, EMS and Police *equipment* however the RFP states fire operations, training, and manpower. It seems this is in a whole different direction then what was talked about last month. **Cncl. Pres., Miller** then noted it was a "draft" and in looking at this now, I just had a conversation with the solicitor and we talked at the last meeting about doing purely, equipment. We are going to have to amend the resolution to indicate we are going to be doing equipment, that's it. **Cncl. DiLucia** asked for some clarification on this, what is the change and what does it mean? **Cncl. Pres., Miller** explained that when we originally agreed to this we agreed that we would just be doing equipment, if everyone actually read the entire proposal it mentions more than just equipment. When I read it, I realized that and no one else commented on this so I acted to try and talk with the solicitor on this to say this was not what we originally agreed to. **Cncl. DiLucia** questioned just what would be taken out and what would remain in the RFP that was drafted. **Cncl. Pres., Miller** indicated that the RFP would be written excluding certain things such as: personnel, staffing and response time and what will remain is just the equipment portion. Mr. Heydel then noted the capital budget was talked about along with certain items that came out of the capital and we were looking to do this study to get this done for November when we want to make transfers. **Cncl. Pres., Miller** noted that Mr. Heydel was absolutely correct we wanted to do this because we knew we had equipment that was going to be up in the capital budget and we wanted to make sure we were not purchasing in excess. There was continued discussion on how best to handle this matter. Mr. Heydel then advised we have no funding mechanism for this, the only way to get this funded is to put it out and get it back and it has to be done in sixty (60) days. He advised to let the solicitor make the appropriate changes in the RFP and bring it back to the first meeting in September, you put it out and by the time it comes back you have 60 days to do the transfer of funds (*November*) and get it done. **Cncl. Pres., Miller** then noted it seemed to him with all these changes being discussed, that were not originally discussed, it would make sense if we pulled this resolution to make the required changes that way it would come back to council so we would know there is a timeframe and that the funds were in place. It was the consensus of council members to remove this resolution (*R:155-2016*) from the regular council meeting agenda so that the required changes could be made. It will be placed on a future meeting agenda for approval. **Mayor Teefy** then noted we need to know by

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C. PUBLIC PORTION (cont'd)

December or January what the assessment is on our equipment so going into that budget for 2017 we know to either add equipment or we need to reduce some equipment. **Cncl. Dilks** noted the question would be, once we get the quote back with the funds how long is it going to take to do the assessments. Mr. Heydel noted you can establish that time frame in the RFP.

Len Fritz, Chairman of the Open Space Committee approached council to submit a list of recommendations that the committee had regarding the Multi-Modal Transportation Plan. He then posed a question regarding access across the Black Horse Pike and possible alternatives for this. Ms. Cornforth then noted in previous years the committee had submitted recommendations to ARH. She then added the plan is just approved via resolution and you can make amendments to it as well.

Jack Simmermon – A-Jack’s Towing spoke with regard to the towing ordinance (*O:23-2016 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 262 Of The Code Of The Township Of Monroe, Entitled “Towing”*) scheduled for 1st reading at the regular council meeting. He referenced the \$1 million dollar coverage for the on hook coverage. He noted that type coverage was a separate policy and the solicitor indicated that was noted in Sec. D. (2) of the ordinance (*on hook coverage shall be included on said policy*). Mr. Simmermon then noted on hook isn’t covered under General Liability, it would be an extra line item. We did speak about that being a \$1 million dollar coverage. Mr. Fiore noted that on hook coverage is required through the MEL our insurance carrier whether its \$1 million or whatever our carrier says it is going to be. Mr. Simmermon added that we addressed \$1 million last week, so its \$1 million. I don’t know we are trying to get to this (*at this time many people were speaking*). **Cncl. Pres., Miller** then indicated this was 1st reading on the ordinance. The solicitor then noted as this is 1st reading we need to be comfortable with the language and Mr. Simmermon has made a suggestion. I am just suggesting that whatever our insurance carrier requires let’s make it that requirement, that would protect our town, protect the towers, protect everyone rather than sending it back to be discussed. He will check into the insurance requirements, it may come back and say there is no requirement for on hook coverage, he wasn’t sure. Mr. Simmermon then noted, all I am saying is that last week we addressed it and everyone was in agreement with it and now this week we are back to what the insurance company is going to say. Mr. Fiore stressed he was not as wishy washy as Mr. Simmermon says, what he was saying is whatever the insurance carrier says about automobile coverage, that is what we are going with. We did not talk about this specifically last week, we spoke on it at several meetings and this is about draft #10. Council members agreed with the language that the solicitor spoke of regarding on hook coverage. Mr. Simmermon then spoke with regard to the storage pens and the language *must be secured via a solid fence, slats, masonry wall or wraps 70% on all sides*. He questioned if that was because of the slats. **Cncl. Heffner** responded that was because if you are using those fences which are used on the baseball fields there is a rating of what you can see through (*30%, 50%, 70% or even 100%*) and this pertains only to the density of the screening. Solicitor Fiore then noted a few changes included in **262-3. B** *Each license shall run for a term of two years, commencing on July 1 and terminating on the 30th day of June of the second year*. Mr. Fiore also referred to **262-3.G**. *If in the event this Chapter is either modified or*

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C. PUBLIC PORTION (cont'd)

repealed by the Township of Monroe during the term of the license, the towers on the list shall be refunded on a pro rata basis. He explained, for example let's assume we do away with the township towers list and would bid it out six months into it, then there would be refund to the towers. **Cncl. DiLucia** noted that was the escape provision. Mr. Simmermon then questioned if the new contract will be going into effect on April 1st of next year. Mr. Fiore clarified that it commences on July 1st of next year for a two year period. Mr. Simmermon noted so everyone will have to meet these requirements by July 1st (2017) and anybody that is an employee now or an owner will have to be certified by July 1st. It was noted yes, that is correct.

Dominic Burgese - B&B Auto Repair also posed a question on the "Towing" ordinance with regard to "junk title" certificates. He noted he spoke with a representative at the Motor Vehicle Agency at length and they basically said, if it is impounded we *can not* get the title. Until the release is in hand I can't do anything with it. It has to be done through a public agency which is the township. He then advised that he had contact information on the person he spoke with. The solicitor then noted he reviewed the statute and he would be glad to call the individual to get a straight forward answer.

For the record, it was noted that Resolution R:155-2016 would be removed from the regular council meeting agenda.

Cncl. Heffner made a motion to close the Public Portion. The motion was seconded by **Cncl. Caligiuri** and unanimously approved by all members of council in attendance.

D.) NEW BUSINESS

Cncl. McIlvaine noted he was advised that the Tax Collector's office had an irate customer sometime last week and he explained how there was a panic button system in that office that used to go to the dispatcher and the police department which we no longer have. The alarm was moved into the patrol room and in speaking with the Deputy Chief on this he explained if someone is in there and they see it, fine. If there is no one in there then nobody sees it. Ultimately, there was a ten minute delay, it showed first that it was the court room, then it was the caucus room and finally the tax office so there was quite a delay. They were told in the future for all offices to just call 911, if you can. That way the dispatcher can relay to the police what the issue is. He indicated what he would like to see done is a regular panic alarm system installed in all the offices and let's get away from the Mayberry RFD system we have now and move up to 2016. Our employees are very important to us and they shouldn't have to tolerate improper behavior. **Mayor Teefy** advised that Officer DeHart is working on "Active Shooter" training and emergencies throughout the building. He will be turning this over to him to see what we have today and what we need to upgrade. **Cncl. McIlvaine** then questioned where we were at with the MD Crane property, any word? Mr. Fiore noted he received a phone call from Mr. Gallagher's office and it is off the market.

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E.) OLD BUSINESS

Cncl. DiLucia questioned Mr. Heydel on the final cost associated with the demolition of the old library. Ms. Cornforth noted that technically the contract has not been closed out however all work is done and testing on the underground storage tank came back clean. Mr. Heydel noted there were no change orders so the amount would be what the bid came in at.

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. DiLucia posed a question with regard to Resolution R:159-2016 (*Resolution Of The Township Council Of The Township Of Monroe Appointing Douglas Long, Esquire As Special Counsel On Behalf Of The Township Clerk Of The Township Of Monroe*) scheduled for approval on the regular meeting agenda. He noted this is at a cost to the township and it did not appear to him, based on the legal filings that he reviewed, that the Clerk had been charged with anything. He was not saying that the Clerk should be denied an attorney since her name appears on the filing. However, it appeared to him that it was almost like a shot gun approach. There is nothing they charged her with, there is nothing she could have done or possibly could do. This is a cost to the town that I would rather see us not have to bear. **Cncl. Pres., Miller** noted she is named and she has had conversations with attorneys and other representatives and she herself has not been represented at all. **Cncl. DiLucia** noted that he understood that and certainly I agree that she is entitled to representation. The issue that I am raising is that she has been cited in name to that case which is going to cost this township money, with no specific allegations. There is nothing that said Sue did anything. So she is in a position to have to have a lawyer hired to defend herself against no accusations. **Solicitor Fiore** noted it was my recommendation and unfortunately in New Jersey there is what is referred to as a general pleading state and someone or an attorney can take the shot gun approach and name everybody. Where other jurisdictions require specific allegations. **Cncl. DiLucia** noted that is the point he was trying to make. Mr. Fiore then added that because she is the individual who is responsible for the elections in Monroe Township she is the person who unfortunately is named in these types of lawsuits. **Cncl. DiLucia** then noted that one of the attorneys has already raised the legal argument that this is a shot gun approach and he cites the law and is asking for attorney fees and I think, this attorney, contingent upon him being hired, should ask for attorney fees because this is a frivolous charge against her. There is nothing charged against her so we as a township bear a cost that I think could be estimated at approximately \$15,000.00. Now, I don't know if that number is true but at \$175.00 an hour when you have to file briefs and interrogatories and be involved in conference calls because he is now a party to a representation, so this thing could be hours upon hours. There is already two trial dates set and if you read the resolution there are travel fees, lodging fees whatever fee he were to incur at \$175.00 per hour it could be substantial. **Cncl. DiLucia** then stressed that he wanted to make it clear, certainly as an employee of the town I would endorse that she is entitled to a lawyer and we have to bear the cost of it. However, what I am raising is should she even be in this and that is not for me

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

to answer. But I am going to insist that this attorney be apprised of the fact that we think this is a frivolous charge against her, against somebody we are paying for and we want them to ask for attorney fees because this is taxpayer money. Now a second question in reference to this is do we have to bear the cost of the county's attorney, because I understand we do. **Solicitor Fiore** noted not that he was aware of. **Cncl. DiLucia** noted it is not a recount, these are specific charges and this is now a criminal case. Mr. Fiore noted I don't know that it is a criminal case, it is a civil case. **Cncl. DiLucia** noted but it could rise to criminal if there is fraud proven. So at least the contention is potential fraud and if it is I believe under the law that the cost the county incurs reverts back to the town. I don't know that, I am not an attorney but that is what I understand and I would like to have an answer on that. **Cncl. DiLucia** requested the solicitor to research this and find out because if so those costs will be considerable. **Mr. Fiore** indicated he was not aware of that but he would certainly get an answer.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED - None

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Caligiuri** made a motion to adjourn the Council Work Session of August 8, 2016. The motion was seconded by **Cncl. McIlvaine** and was unanimously approved by all members of Council in attendance.

Respectfully submitted,



Susan McCormick, RMC
Municipal Clerk



Presiding Officer

These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of August 8, 2016 and serves only as a synopsis of the proceedings. Portions of 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 *smj* Date 9/12/16
Approved as corrected _____ Date _____