

**MINUTES  
REGULAR COUNCIL MEETING  
TOWNSHIP OF MONROE  
SEPTEMBER 12, 2016**

**A.) OPENING CEREMONIES**

**CALL TO ORDER**

The Regular Council Meeting of the Township of Monroe was called to order at approximately 8:27 PM by **Cncl. Pres., Cody D. Miller** 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 and also on the Monroe Township website.

**Cncl. Pres., Miller** stated the Clerk has placed a sign-in sheet in the meeting room. If anyone would like to address Council please sign in and you will be recognized during the Public Portion. Kindly state your name for the record.

**SALUTE TO FLAG**

**Cncl. DiLucia** led the Assembly in the Pledge of Allegiance to Our Flag and **Cncl. Pres., Miller** offered the Invocation and requested everyone keep Richard Amandeo, a Board of Education member and volunteer fireman, in their prayers during his battle with cancer.

**ROLL CALL OF PUBLIC OFFICIALS**

Cncl. Walt 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		Excused
Solicitor Charles Fiore	Present	
Business Administrator, Kevin Heydel	Present	
Engineer, Kathryn Cornforth, ARH	Present	
Dir. Of Code Enforcement, George Reitz		Excused
Dir. Of Public Safety, Jim Smart	Present	
Dir. Of Public Works, Michael Calvello	Present	
Dir. Community Dev., Rosemary Flaherty	Present	
Deputy Mayor Andy Potopchuk		Excused
Municipal Clerk, Susan McCormick	Present	

**PROCLAMATION**

• **Ovarian Cancer Awareness Month**

**Cncl. Pres., Miller** read a proclamation declaring the month of September as **Ovarian Cancer Awareness** month.

**APPROVAL OF MINUTES**

**Cncl. Heffner** made a motion to approve the minutes as submitted of the Council Work Session and Regular Council Meeting of August 8, 2016. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

**B.) GENERAL PUBLIC DISCUSSION**

**Cncl. Caligiuri** made a motion to open the General Public Discussion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

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**B.) GENERAL PUBLIC DISCUSSION**

Lee McCullough, 432 Prosser Avenue, approached Council to speak about an ongoing issue with his neighbor. Mr. McCullough explained how the issue went to court numerous times, gave some background of what transpired over the years, expressed his concerns that township employees are not doing their job to get the issues resolved and that the good rapport he had with Mr. Fiore has changed because Mr. Fiore in his capacity as Municipal Prosecutor is not always available to speak to him. Solicitor Fiore explained Mr. McCullough stops in his office and comes to court every Tuesday and he is not available to talk to him when his case is not scheduled. Mr. Fiore noted he wanted it clear "for the record" that Judge Curio stated Mr. Vidovic and Mr. McCullough were both totally incredible and since they were neighbors they needed to figure out a way to get along. He added Mr. Vidovic was indicted and a jury trial was held. When the matter went to court Mr. Weikel was not there but Mrs. Flaherty was and when the judge asked her, she said Mr. Vidovic was in compliance. Mr. Fiore added Council is legislative, they do not control the courts or administration and the Zoning Official is aware of this. Mrs. Flaherty noted she issued a summons and is taking Mr. Vidovic back to court. Mr. McCullough questioned whether Judge Lacovara has the authority to impose a \$40,000.00 to \$50,000.00 fine or override Judge Curio's court order. Mr. Fiore advised he can assess the fine upon conviction. Mr. McCullough noted he has gone to Mrs. Flaherty's office numerous times and she never calls him back. Mrs. Flaherty explained she does not have to contact him when she issues a summons, as it is up to her, the prosecutor and the judge to work on it. Mr. McCullough questioned whether this is going back to Judge Curio and if not, what would the fine be. Mr. Fiore advised it was not going back to Judge Curio and the fine could be \$1,000.00 a day but the amount is at the judge's discretion. Mr. McCullough questioned if Judge Lacovara has the authority to override Judge Curio's court order. Mr. Fiore noted Mr. McCullough is mixing and matching. He explained when the township originally filed what is called "The Order to Show Cause" bringing Mr. Vidovic to Superior Court it was pointed out that the Superior Court judge could penalize him up to \$1,000.00 a day per our ordinance. Judge Curio said she was dismissing the case because Mr. Vidovic and Mr. McCullough were both incredible, there was compliance and as neighbors they had to find a way to get along. Mr. McCullough again brought up the issue of the video from WAWA that he spoke of at a previous council meeting. Mr. Fiore stopped him saying that the County prosecutor's office had asked him to review the video with Mr. McCullough and they had done that in his office. Mr. McCullough went on to talk about the video and whether Judge Lacovara had the authority to request the police department to provide the original video. Cncl. Pres., Miller explained Council has no control over this issue. It is a court issue and Mrs. Flaherty has issued a summons to Mr. Vidovic and a court date has been scheduled for September 13<sup>th</sup>. Cncl. Caligiuri questioned whether this was a civil or criminal case. Mr. Fiore advised right now it is a disorderly person's offence and is in municipal court, as complaints have been signed by the Zoning Official. Mr. McCullough went on to speak about the criminal trial noting the reason they got away with it was because Prosecutor Margaret Cipparrone would not allow into the trial the information from the Grand Jury that would have convicted him. He added he was not even allowed to say anything other than to answer her questions and he was warned eight times that there could be a mistrial. He noted he was not allowed to say that Vidovic threw rocks into his face cutting him and breaking his glasses. Again Cncl. Pres., Miller stated that is a police/court matter that Council has no control over. Mrs. Flaherty advised Mr. Vidovic has been cited, the court date is tomorrow and it will be up to the judge to fine him. Mr. McCullough noted the State Attorney General's Office told him there are 16,000 prison cells in New Jersey, 15,500 are occupied and 500 throughout the state are empty and they are not going to put Vidovic in prison for this they are saving those cells for drug dealers and murders. When leaving the podium Mr. McCullough commented that he would see Mr. Fiore in court tomorrow.

Kelly Hines of the Friends of Victory Lakes Association, a 501C organization, was in attendance to request Council waive construction permit fees for the installation of electric at Magnolia Park located on Magnolia Avenue in Ward 4. She noted the organization is fixing up this property to make it a great place in Williamstown and that the neighborhood won the "Neighborhood of the Year Award" and they hope to win it again next year. Cncl. Pres., Miller advised a resolution waiving the fees will be on the next Council Meeting agenda.

With no one else 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.

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C.) CORRESPONDENCE - None

D.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

**Cncl. Heffner** made a motion to open the Resolutions Scheduled-Public Portion. The motion was seconded by **Cncl. McIlvaine** and unanimously approved. With no one wishing to speak **Cncl. Heffner** made a motion to close the Resolutions Scheduled-Public Portion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

**Cncl. DiLucia** made a motion to bracket Resolutions R:165-2016 through R:192-2016 with the exception of R:169-2016, R:170-2016, R:182-2016 and R:184-2016. The motion was seconded by **Cncl. Caligiuri** and unanimously by all members of Council.

**CONCENT AGENDA R:165-2016 THROUGH R:192-2016**  
(Exception R:169-2016, R:170-2016, R:182-2016, R:184-2016)

**R:165-2016** Resolution Authorizing The Execution Of A Change Order For Arawak Paving Co., Inc. In The Increased Amount Of \$27,437.50 For Services Associated With The Winslow Road Resurfacing Project - Phase VII In The Township Of Monroe, County Of Gloucester, State Of New Jersey

**R:166-2016** Resolution Of The Township Council Of The Township Of Monroe, County Of Gloucester Adopting The Mitigation Plan For Four New Jersey Counties

**R:167-2016** Resolution Of The Township Council Of The Township Of Monroe Establishing A Community Garden At The Monroe Township Public Library

**R:168-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute An Agreement To Participate In The Alliance To Prevent Alcoholism And Drug Abuse Between Gloucester County, New Jersey And The Township Of Monroe

**R:169-2016** Resolution Of The Township Council Of The Township Of Monroe Awarding Bid To Spartan ERV/Campbell Supply Company For Services Associated With The Purchase Of 3000 Gallon Fire Tanker As Specified In The Bid Specifications For The Township Of Monroe, Gloucester County And Authorizing The Proper Township Officials To Execute The Required Documentation

**Cncl. Bryson** made a motion to approve Resolution R:169-2016. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

**R:170-2016** Resolution Of The Township Council Of The Township Of Monroe Awarding Bid To Physio-Control, Inc. For Services Associated With The Purchase Of Two (2) Lucas Portable Battery Operated Automated Cardiopulmonary Resuscitation Devices As Specified In The Bid Specifications For The Township Of Monroe, Gloucester County And Authorizing The Proper Township Officials To Execute The Required Documentation

**Cncl. DiLucia** made a motion to approve Resolution R:170-2016. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council.

**R:171-2016** Resolution Of The Township Council Of The Township Of Monroe Approving The Purchase Of A Bus As Part Of The County's 2016 Capital Transit Investment Plan

**R:172-2016** Resolution Authorizing The Acceptance Of A Maintenance Bond In The Amount Of \$7,593.47 For The Handicap Ramp Improvements In The Township Of Monroe, County Of Gloucester, State Of New Jersey

**R:173-2016** Resolution Authorizing The Execution Of A Change Order For Diamond Construction In The Decreased Amount Of \$10,687.36 For Services Associated With The Handicap Ramp Improvements In The Township Of Monroe, County Of Gloucester, State Of New Jersey

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**D.) RESOLUTIONS SCHEDULED - PUBLIC PORTION (cont'd)**

**R:174-2016** Resolution Authorizing The Execution Of A Change Order For R.E. Pierson Construction Co., Inc. In The Decreased Amount Of \$1,947.00 For Services Associated With The Demolition Of The Old Monroe Township Library In The Township Of Monroe, County Of Gloucester, State Of New Jersey

**R:175-2016** Resolution Authorizing The Acceptance Of A Maintenance Bond In The Amount Of \$22,842.45 For The Monroe Township Old Library Demolition In The Township Of Monroe, County Of Gloucester, State Of New Jersey

**R:176-2016** Resolution Of The Township Council Of The Township Of Monroe Canceling Certain Unexpended General Capital Improvement Authorization Balance

**R:177-2016** Requesting Approval Of The Director Of The Division Of Local Government Services To Establish A Dedicated Trust By Rider For The Township Of Monroe Environmental Commission Donations

**R:178-2016** Resolution Of The Township Council Of The Township Of Monroe To Affirm The Township Of Monroe's Civil Rights Policy With Respect To All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, And Members Of The Public That Come Into Contact With Municipal Employees, Officials And Volunteers

**R:179-2016** Resolution Of The Township Council Of The Township Of Monroe Releasing The Maintenance Bond Posted For "Cross Keys Animal Hospital", Site Plan #441-SP, Block 201, Lot 60

**R:180-2016** Resolution Releasing The Performance Guarantee Posted For "Cross Keys Pavilion-Commercial", Site Plan #SP-444 PS-3, Block 101, Lot 3.04 And Substituting A Maintenance Guaranty In The Amount Of \$54,212.00 For Certain Site Improvements

**R:181-2016** Resolution Of The Township Council Of The Township Of Monroe Releasing The Maintenance Bond Posted For "Willowoods", Section 1, Subdivision #1704, Block 12901, Lots 14, 24, 25 & 38

**R:182-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing Assignment Of Tax Title Liens Held By The Township Of Monroe

**Cncl. Dilks** made a motion to approve Resolution R:182-2016. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council.

**R:183-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing An Investigation For A Timing Adjustment Of Route 42 And County Route 689 Traffic Signal And A Commitment Of The Township Of Monroe To Pay 25% Of All Costs Associated With The Electrical Upgrades To Said Intersection Within The Township Of Monroe, County Of Gloucester, State Of New Jersey

**R:184-2016** Resolution Appointing An Alternate # 2 Member Of The Monroe Township Zoning Board Of Adjustment

**Cncl. Caligiuri** made a motion to open nominations for an Alternate # 2 Member of the Zoning Board of Adjustment. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council.

**Cncl. Dilks** nominated **Carol Fox** as an Alternate # 2 Member of the Zoning Board of Adjustment. The nomination was seconded by **Cncl. Caligiuri**.

With no one else wishing to make a nomination **Cncl. Caligiuri** made a motion to close nominations. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

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

**ROLL CALL VOTE ON NOMINATION OF CAROL FOX AS AN ALTERNATE # 2  
MEMBER OF THE ZONING BOARD OF ADJUSTMENT - ALL AYES**

**Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent.** Nomination of Carol Fox as an Alternate # 2 Member of the Zoning Board of Adjustment was duly approved.

**R:185-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing The Request For Proposals (RFP) For Up To Six (6) Certified Contractors For Emergency Service Work Associated With Lawn Mowing And Landscaping Services

**R:186-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing The Request For Proposals (RFP) For Up To Six (6) Certified Contractors For Emergency Service Work Within The Township Of Monroe

**R:187-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing The Acceptance Of A Secured Performance Guaranty In The Amount Of \$495,956.00 For "Fuel Center At Sam's Club" For Site Plan #395-SP, Block 101, Lot 3.01 For Certain Site Improvements

**R:188-2016** Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute A Developer's Agreement With Sam's Real Estate Business Trust For "Fuel Center At Sam's Club", Site Plan #395-SP, Block 101, Lot 3.01

**R:189-2016** Resolution Adjusting Township Of Monroe Tax Records

**R:190-2016** Resolution Of The Township Council Of The Township Of Monroe In Response To A Request For Proposals Appointing Suasion Communications Group For Services Associated With Marketing Analysis/Public Relations Campaign For The Township Of Monroe, Gloucester County And Authorizing The Proper Township Officials To Execute The Required Documentation

**R:191-2016** Resolution Of The Township Council Of The Township Of Monroe Releasing The Maintenance Bond Posted For "Candlewood I (A.K.A Crossings At Spring Hill), Subdivision #1690, Block 13601, Lot 33

**R:192-2016** Resolution Authorizing Closed Executive Session Of The Township Council Of The Township Of Monroe To Discuss A Personnel Issue

**Cncl. McIlvaine** made a motion to approve Resolutions R:165-2016 through R:192-2016. The motion was seconded by **Cncl. Heffner**. **Cncl. Bryson** noted a paragraph included in R:190-2016 in error would be removed. Resolutions R:165-2016 through R:192-2016 were approved by all members of Council with the exception of **Cncl. Dilks** who **Abstained With Cause** on Resolution R:175-2016.

E.) ORDINANCES

**Cncl. Pres. Miller** turned this portion of the meeting over to **Ordinance Committee Chairman, Cncl. Heffner**. **Cncl. Caligiuri** made a motion to open the meeting to the public. The motion was seconded by **Cncl. Pres., Miller** and unanimously approved by all members of Council. With no one wishing to speak **Cncl. Pres., Miller** made a motion to close the meeting to the public. The motion was seconded by **Cncl. Caligiuri** and unanimously approved by all members of Council.

**Cncl. Caligiuri** made a motion to bracket Ordinances O:24-2016 through O:32-2016. The motion was seconded by **Cncl. Pres., Miller** and unanimously approved by all members of Council.

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E.) ORDINANCES (cont'd)

CONSENT AGENDA O:24-2016 THROUGH O:32-2016

**O:24-2016** An Ordinance Of The Township Of Monroe To Amend Chapter 105, Entitled "Crane Use And Operation"

**O:25-2016** An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 175 Of The Code Of The Township Of Monroe, Entitled "Land Management" (Chapter 175-133 "Sidewalks")

**O:26-2016** An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 175 Of The Code Of The Township Of Monroe, Entitled "Land Management" (Chapter 175-135 "Signs")

**O:27-2016** An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 175 Of The Code Of The Township Of Monroe, Entitled "Land Management" (Chapter 175-54 "Subdivision, Site Plan & Conditional Use Approval")

**O:28-2016** An Ordinance Of The Township Of Monroe Establishing A Redevelopment Zone For Block 1303, Lot 20 A/K/A 1030 North Main Street

**O:29-2016** An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 230 Entitled "Peddling And Soliciting"

**O:30-2016** 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"

**O:31-2016** An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 74 Of The Code Of The Township Of Monroe, Entitled "Fees"

**O:32-2016** Bond Ordinance Authorizing The Acquisition Of Various Pieces Of Equipment For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$20,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Monroe, County Of Gloucester, New Jersey, In The Aggregate Principal Amount Of Up To \$19,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

**First Reading:** A copy of these ordinances were posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

**Cncl. Pres., Miller** made a motion to approve Ordinances O:24-2016 through O:32-2016 for First Reading and Publication. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council.

**O:33-2016** An Ordinance Of The Township Council Of The Township Of Monroe Authorizing The Sale Of Township Owned Land (**First Reading & Publication**) - **REMOVED FROM AGENDA**

F.) REPORTS AND OTHER MATTERS - None

CLOSED EXECUTIVE SESSION

**Solicitor Fiore** reported Council just concluded a Closed Executive Session where discussion took place regarding a township employee, Terry Collins. Mr. Collins was given a Rice Notice to appear at the meeting and he indicated that the discussion could take place without him being present. Action will be taken with respect to Resolution R:193-2016 extending benefits to Mr. Collins under special considerations.

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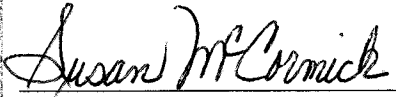
**R:193-2016** Resolution Of The Township Council Of The Township Of Monroe Memorializing Motion To Extend Special Considerations To Terry Collins

**Cncl. Bryson** made a motion to approve Resolution R:193-2016. The motion was seconded by **Cncl. Caligiuri** and unanimously approved by all members of Council.

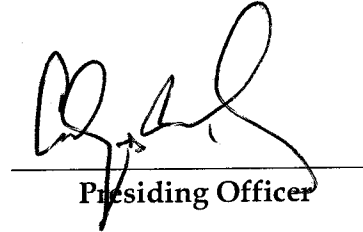
**G.) ADJOURNMENT**

With nothing further to discuss **Cncl. DiLucia** made a motion to adjourn the Regular Council Meeting of September 12, 2016. The motion was seconded by **Cncl. Heffner** 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 12, 2016 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 \_\_\_\_\_ AMJ \_\_\_\_\_  
Approved as corrected \_\_\_\_\_

Date \_\_\_\_\_ 9/26/16 \_\_\_\_\_  
Date \_\_\_\_\_