

**MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
OCTOBER 10, 2016**

A.) OPENING CEREMONIES

CALL TO ORDER

The Regular Council Meeting of the Township of Monroe was called to order at approximately 8:09 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. Heffner led the Assembly in the Pledge of Allegiance to Our Flag and **Cncl. Pres., Miller** offered the Invocation.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walt Bryson	Present	
Cncl. Frank Caligiuri		Excused
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	
Solicitor Charles Fiore	Present	
Business Administrator, Kevin Heydel		Excused
Engineer, Chris Rehmann, 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		Excused
Deputy Mayor Andy Potopchuk	Present	
Municipal Clerk, Susan McCormick	Present	

PROCLAMATION - None

APPROVAL OF MINUTES

Cncl. Bryson made a motion to approve the minutes as submitted of the Council Work Session and Regular Council Meeting of September 26, 2016. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council in attendance.

B.) CORRESPONDENCE

• Best Practices Inventory - CY 2016-2017

Mayor Teefy spoke of how the Best Practice Inventory questions went from 50 down to 30 and how the State is trying to make it harder by pointing towards entitlements such as sick buy back, benefits for elected and part-time officials and bonuses, which in the past a couple people had received but that is now off the books. Also included were questions about authorities such as the MUA. Our score was 80 but next year we should do better.

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B.) CORRESPONDENCE (cont'd)

Cncl. DiLucia questioned whether the township would be in compliance with this if the resolution on the agenda this evening requiring the County Tax Assessor to notify the township about tax appeals is approved. Mayor Teefy replied yes, this Best Practices must be submitted by the end of October so that will be included.

Cncl. Bryson noted the township can be penalized for answering questions in a different way than the State wants us to answer. He questioned on a pro-capita basis what is the share of money we get back for the amount of money we give to the State, is it 80%, 90% or 100%? He also questioned who put this into play, was this an instrument of control from the governor's office or was it from the legislative office? He added he would like to get those questions answered because he has concerns about specific areas such as benefits since they are legislating on one hand and saying you can't do it on the other. He felt there is something wrong with a questionnaire such as this. **Cncl. Pres., Miller** advised it was done legislatively since the 2017 Appropriations Act requires us to do this. **Cncl. Bryson** explained the point he was trying to make is because of this questionnaire the State is saying they will only give the municipality 80% of the money they would have normally given us and he felt the township and the League of Municipalities needs to address this with the legislators because the township should get back all that we give per-capita to the State. Last week the legislators passed a 23¢ increase in the gasoline tax. Our legislator Paul Moriarty went to bat for us saying there should be another alternative such as only raising the gasoline tax by 5¢ and then see what happens. This tax will be 23¢ plus a US Federal Government match of the same amount of money. As a local legislator **Cncl. Bryson** noted his concern is that local government and the citizens in New Jersey are losing each year and the only way we can make that up is by our local taxes and that is appalling.

C.) GENERAL PUBLIC DISCUSSION

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

Troy Sterling of 1032 Huntingdon Drive requested an ordinance be amended to allow backyard chickens in residential areas. He noted he had residents of Williamstown in attendance to support his request.

Patrick McDevitt, a resident and representative of Sustainable Monroe Township was in attendance along with Camden County Chicken Advisor Gwen Bail and other members of the community in support of Mr. Sterling's request, which is a movement across the Country and South Jersey as residents are interested in knowing where their food is coming from and are teaching their children about food safety. They were also at National Night Out and had petitions signed at the Green Fair and he would be happy to supply those petitions with fifty signatures supporting this idea. He added he was looking for some guidance and help to implement this in Monroe Township and Williamstown.

Mayor Teefy noted this issue was previously discussed and he suggested Council consider implementing it for two years to see how it works. He felt regulations could be established such as requiring neighbors on both sides of the property to agree and limiting the number of chickens. He suggested residents with knowledge on this help Council draft a proper ordinance, as there seems to be enough people in town that want to do this. **Cncl. Pres., Miller** added restrictions could be established for the enclosures, roosters would not be permitted and the number of hens used to produce eggs could be limited.

Joanne Lucier, 215 Church Street noted she has friends in neighboring communities that have egg producing chickens and she would appreciate Council giving residents in Monroe Township that opportunity, as it would benefit the community. She explained the clucking from chickens is quieter than dogs or parrots and the people that have these chickens treat them like pets. The chickens are named and respond to their names and would be tended to just like any other pet would be. Mrs. Lucier noted chickens are gentle creatures and she would like to have the opportunity to have some, which is why she was supporting Mr. Sterling's request. She also thanked **Cncl. Bryson** for his comments about the gas tax; noting she also contacted her legislators about it as well.

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C.) GENERAL PUBLIC DISCUSSION (cont'd)

Chris Tedesco, 1033 Huntingdon Drive, noted he lives across the street from Troy Sterling and for the last three years they have had chickens, which not one neighbor complained about and they actually enjoyed eggs that were given to them. After recently receiving a summons they had to get rid of chickens but he didn't know if that was because someone complained or if this was just a witch hunt. The chickens were quiet pets unlike dogs and his kids loved them and are upset that they no longer have them. Mr. Tedesco urged Council to consider changing the ordinance to work for everyone so they can get their chickens back.

Gwen Bail of Haddon Township explained she wrote the pilot program in Haddon Township, which just completed its first year. Yards are relatively small there so the pilot allowed four hens. Twenty-three of the twenty-five slots allotted were filled and there was not one complaint even during this past summer when we had 95° weather because our coops did not stink. A scientist with a PHD in poultry from Delaware gives us technical advice and a veterinarian who specializes in poultry is our medical advisor. Ms. Bail noted she is working with seven/eight other towns in the tri-county area, that Gloucester Township passed a pilot and Barrington changed their pilot to an ordinance after its first year. Haddon Township's Backyard Chicken Advisory Board runs the pilot so it doesn't cost the town anything and they make \$10.00 a year for each license. If a complaint would come in the Backyard Chicken Advisory Board would go out and investigate the complaint and provide education and then go back in fifteen days to make sure the problem was fixed. Ms. Bail spoke of being asked to be on the Merchantville Task Force, of how they just passed a two year pilot based upon Haddon Township's and of the Oaklyn Mayor also appointing her to their Task Force. She explained the size of yards should not be considered since that is not really economic or environmental justice because it says if you can't afford an acre or three acres you can't have two chickens and that is absurd. Oaklyn took the smallest property in town and used the information from the Cleveland Law Review that specified the distance a coop should be from the neighbor's windows and doors. If the coop is between fifteen and twenty feet from the neighbor's windows and doors chickens will not be a nuisance because hens lay in the coops so their noise is muffled and if the coop is kept clean it will not smell. In Oaklyn a yard that is 2250 square feet can have three chickens as long as that coop and run is fifteen feet from the neighbor's windows and doors. If it isn't, then they can't have chickens. Every additional 500 square feet another chicken can be added up to a maximum of ten. Regulations built into the ordinance allows a person who never had chickens before to only have four during the first year but there is a grandmother/grandfather clause that if people already have more they can have up to the maximum permitted in their yard. The Backyard Chicken Advisory Board is really important and there should be confidence in the people selected for this Board. She noted she has had over fifty hours of classes on backyard chickens and she now teaches a two hour class that most towns require prior to issuing a license for backyard chickens. The class is not to scare people it is to give them the basics and after the class some people decide they don't want them because it is more responsibility than they thought it would be as it takes time each day to clean up after chickens and collect eggs. The class and the Advisory Board are a critical part of this. **Cncl. Pres., Miller** questioned whether there were any communities in Gloucester County that were pursuing this. Ms. Bail advised Woodbury has a pilot but it has not been implemented very well yet and that is because of the town not the chicken people. Some people in Pitman and Washington Township are also talking about it but it has not gone before Council yet in those towns. Runnemede is also looking at this. Monroe had illegal issues but were the complaints caused from coops smelling or were the citations issued just because chickens are not permitted, which should not be in the equation. She felt complaints for noise or stink should be looked at but if there was noise it was probably from roosters and they are not allowed. Ms. Bail spoke of Gloucester Township first requiring a six foot fence around the entire backyard, how they lowered the fence requirement to four feet and how they prohibit chickens from being out of their coop even if people are with them. Haddon Township requires an adult 18 or older to be with chickens when they are free ranging (*out of their enclosure*) and one reason for that is to protect them against predators such as hawks. Ms. Bail urged Council to review the information Troy gave them and also to check into whether actual complaints were received that the chickens smelled or were running in people's yards because she felt that was not the case. She suggested creating an ordinance with some built in mechanisms but was against asking neighbors for permission because they don't ask permission to have dogs regardless of the their size or cats that free range throughout the neighborhood. By asking for permission it makes the neighbor think there will be problems and chickens are no more of a problem than any

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C.) GENERAL PUBLIC DISCUSSION (cont'd)

other kind of pet. Ms. Bails noted she has a therapy chicken, Rosebud, that she recently took to Juniper Village and they loved it so much that she has a return engagement.

Mayor Teefy questioned how long do chickens lay eggs? Ms. Bail explained that depends upon the breed. Chickens can live five to eight years in captivity and can lay eggs for four or five years but their most productive time is up to three and then they start slowing down to once a week. She added she would never euthanize her chickens just because they don't give eggs because they eat bugs and she gets free organic fertilizer from them. She added she puts no food in her waste because it either goes in her composters or to her chickens and she puts no leaves out for her town to pick up because they go in the composter and in the chicken run. She noted if chickens are allowed in the town there will be less trash and leaves for the town to dispose of so this is a real sustainable thing that can help Monroe Township get points from Sustainable Jersey. Mayor Teefy questioned how long Ms. Bail was involved with chickens. She replied she has had hers since January but has been involved for six years getting the pilot approved. Mayor Teefy questioned what people do with the chickens that don't lay eggs any more. Ms. Bail noted that is up to that person. The only thing ordinances say is that a person cannot euthanize or twist a chicken's neck in their backyard but if that person comes from a farm background they could do it in their basement or take it to a butcher. She explained if ten chickens are allowed people should start out with a smaller number so when they start slowing down two more can be added each year until you get to ten and by that time the first ones will have expired on their own. Mayor Teefy commented that he will not be taking his dog to the basement and then eat him for dinner and that is what bothers him about this. He also questioned if a person has ten chickens how many eggs will be produced because there are people in the business of selling organic eggs and this may be infringing upon their right to sell eggs. Ms. Bail felt that twenty houses in this entire town would not bankrupt them and backyard hen keepers are in the same category as the community garden being built. It is not agriculture, it is for their own personal use. People are not banned from having gardens in their backyards because money will be taken away from a local store or farm stand. Mayor Teefy questioned the cost to the class and if anyone else taught it besides her organization. Ms. Bails replied \$10.00 for a two and a half hour class and Jessica Ferguson from Woodbury held a class when their pilot passed but there is no one else giving such an intense/complete class. Some can be taken on line but it is not worth a person's time or money.

Troy Sterling noted when he had his chickens they ate all organic from his sixteen fruit trees, four grape vines, hazelnut bushes, his vegetable garden and blueberry, blackberry and strawberry bushes. He uses no pesticides and when he had his chickens he had no ticks, mosquitoes or biting flies and the eggs were great. He added he misses the chicken waste because he used that in his compost, which he uses on his fruit trees. He explained there are many breeds of chickens and backyard ones are usually the heavier breeds that are not flighty and most do not make a sound when laying eggs. He commented on how he misses his chickens, how he no longer has a compost pile and how the beetles and ticks will be exploding in his yard without them. He questioned what the next step is to getting an ordinance adopted and whether he should attend the next Ordinance Meeting. Cncl. Pres., Miller noted he would like to revisit this issue again to possibly talk about a pilot program but as stated at the Ordinance Meeting Council was not convinced of this. He added Mr. Sterling is welcome to attend any meeting he wants.

Margie Neil, owner of Far Wind Farm noted she is licensed by the Board of Health, is a local producer of organic eggs that she sells at multiple farmer's markets. She added she has had up to 3,000 chickens on her farm and it does not stink. She felt backyard chickens would not put her out of business so she supports this pilot and will take any roosters, spent hens or hens that are not wanted so this group is not without a place to put their birds if this moves forward. She added her bird population goes up and down and under the agriculture laws as an exempt farm she is permitted to have 3,500 birds but after that eggs must be packed up and taken for USDA inspection. She added for the last seven/eight years her business has been to supply chickens and sell feed.

Cncl. Pres., Miller thanked everyone for their comments this evening and noted Council has a lot to consider and will possibly discuss a pilot program at a future Work Session Meeting.

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

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D.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

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

R:198-2016 Resolution Adjusting Township Of Monroe Tax Records

Cncl. Heffner made a motion to approve Resolution R:198-2016. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council in attendance.

R:199-2016 Resolution Of The Township Council Of The Township Of Monroe County Of Gloucester To Execute A Grant Application On Behalf Of The Municipal Alliance Program For Grant Year 2018 (Fiscal Year July 1, 2017 - June 30, 2018)

Cncl. Heffner made a motion to approve Resolution R:199-2016. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council in attendance.

R:200-2016 Resolution Of The Township Council Of The Township Of Monroe Releasing The Maintenance Bond Posted For "Cross Keys Pavilion (Commercial Site)", Site Plan # SP-444, Block 101, Lot 3.02

Cncl. Heffner made a motion to approve Resolution R:200-2016. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council in attendance.

R:201-2016 Resolution Of The Township Council Of The Township Of Monroe Requiring The County Tax Assessor To Notify The Township Of Monroe Annually With Respect To All Tax Appeals Filed Within The Township Of Monroe

Cncl. Heffner made a motion to approve Resolution R:201-2016. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council in attendance.

R:202-2016 Resolution Of The Township Council Of The Township Of Monroe Amending Resolution R:140-2016 Authorizing The Mayor To Execute The Urban County Cooperation Agreement Between The County Of Gloucester And Eligible Municipalities For The Community Development Block Grant Entitlement And Home Investment Partnership Program Funds

Cncl. Heffner made a motion to approve Resolution R:202-2016. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council in attendance.

R:203-2016 Resolution Of The Township Council Of The Township Of Monroe Authorizing Submission Of A Grant Application And Execution Of A Grant Agreement With The New Jersey Department Of Transportation For The Victory Lakes Bike Route Project

Cncl. Heffner made a motion to approve Resolution R:203-2016. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council in attendance.

R:204-2016 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Execution Of A Qualified Private Community Reimbursement Agreement Between The Township Of Monroe And Brandywine Homeowner's Association
REMOVED FROM AGENDA

R:205-2016 Resolution Of The Township Council Of The Township Of Monroe in Support Of The New Jersey Safe Routes To School Program

Cncl. DiLucia made a motion to approve Resolution R:205-2016. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council in attendance.

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E.) ORDINANCES

Cncl. Pres., Miller turned this portion of the meeting over to Ordinance Committee Chairman, Cncl. Heffner. Cncl. Pres., Miller made a motion to open the Public Hearing for Ordinances O:24-2016 and O:30-2016. The motion was seconded by Cncl. McIlvaine and unanimously approved by all members of Council in attendance. With no one wishing to speak Cncl. Pres., Miller made a motion to close the Public Hearing. The motion was seconded by Cncl. Dilks and unanimously approved by all members of Council in attendance.

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

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

Cncl. DiLucia made a motion to approve Ordinance O:24-2016 for Second Reading and Public Hearing. The motion was seconded by Cncl. Dilks.

ROLL CALL VOTE TO APPROVE O:24-2016 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 ABSENT (Caligiuri)

Tally: 6 Ayes, 0 Nays, 0 Abstain, 1 Absent. Ordinance O:24-2016 was duly approved for Second Reading and Public Hearing.

O:30-2016 An Ordinance Of The Township Council Of The Township Monroe To Amend Chapter 262 Of The Code Of The Township Of Monroe , Entitled "Towing"

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

Cncl. Pres., Miller made a motion to approve Ordinance O:30-2016 for Second Reading and Public Hearing. The motion was seconded by Cncl. Bryson

ROLL CALL VOTE TO APPROVE O:30-2016 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 ABSENT (Caligiuri)

Tally: 6 Ayes, 0 Nays, 0 Abstain, 1 Absent. Ordinance O:30-2016 was duly approved for Second Reading and Public Hearing.

F.) REPORTS AND OTHER MATTERS

Cncl. Bryson referred to his earlier comments and noted the people in Trenton are not working for us with the exception of Assemblyman Paul Moriarity who did try but he was canoeing up the rapids.

Cncl. Dilks had no report but commented that he felt the backyard chicken pilot program should be reviewed again.

Cncl. DiLucia noted he was very disappointed Senator Sweeney withdrew his name as a candidate for governor of New Jersey. He added it is apparent to elect a governor from South Jersey is very, very difficult after watching the maneuvering in North Jersey where a coalition was formed to elect a North Jersey person. What we are looking at is a person that has more money than God and who will be unopposed on the democratic side. Hopefully we won't wind up with another Corzine. It is unfortunate but sometimes candidates are brought in because they have money and power as opposed to ability and that is being seen in the Presidential election. He added if anyone has been watching the debates there is a real question about one of the candidate's intelligence and it is a sorry state of the Nation that we have such major problems confronting us. There has been no meaningful dialogue regarding Social Security and how to maintain that program moving forward. The candidates have avoided that discussion as well as the Medicare Program, the cost of health care particularly towards senior citizens that continue to pay astronomical costs to supplement Medicare and the cost of education. He added he wished there was more dialogue around those issues and feels that the residents of this Country are going to have to become more vocal demanding that the things that affect us every day will be

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

addressed in a meaningful way. No matter who wins the presidency it is contingent upon us to begin talking to the senators and congressmen that represent us about what we want legislated in Washington.

Mayor Teefy reported at the Green Fair on October 1st residents brought 1.8 tons of paperwork to be shredded and he commended Patrick McDevitt for organizing this event.

Engineer Chris Rehmann reported working on the Victory Lakes Dam improvements noting dams are important water control devices and Victory Lakes Dam is important to Diamond Lakes, which is downstream. He explained they are working on the hydraulic calculations to try to prove we can keep the dam without significant expenditures. He reported also trying to get the Corkery Lane design approved by the Department of Transportation while we are waiting for the Transportation Fund to be reinstated. We are also working on the irrigation system at Owens Park but a problem we had to deal with is the amount of water we are allowed to divert from the ground to irrigate the grass, as there is a maximum amount of 100,000 gallons per month that can be used so the underground aquifers are not depleted. We have a draft permit and are going to meter the well in order to determine the amount of water Monroe Township is using to keep the grass growing, as there are arguments that grass should be decent to handle impact to the players. **Cncl. Heffner** questioned the status of the Cecil tower. **Engineer Kathryn Cornforth** explained nothing was received from the County and the only thing removed was the siren; the tower still stands. **Cncl. McIlvaine** read a text he received from Pete Mercanti that stated "someone from Public Works will be down to check out what is needed to take down the tower. Should be scheduled very soon". Mr. Rehmann advised he would contact Pete on this. **Cncl. Dilks** questioned whether the township went through the water calculations for the Mary Duffy Park. Ms. Cornforth responded the existing irrigation was based upon when the wells were drilled but now that we are asking for new irrigation they want everything metered for the new well we will be installing. Based upon our calculations it should be under the threshold so we shouldn't need the larger more complicated one. **Cncl. Heffner** questioned whether a fee would be involved with the meter. Ms. Cornforth explained it is just a flow meter. What will happen is that Jim Bonder will periodically monitor them when the water is on in order to prove we are not going over the limit. Mr. Rehmann added he will need to think about what he is watering and when instead of just putting it on an automatic cycle. **Cncl. Dilks** questioned whether valves would be installed on each side of the meter because valves do go bad. Ms. Cornforth advised that will be done. **Cncl. Bryson** questioned whether the well would be as deep as those of the MUA. Ms. Cornforth was not sure but felt the existing well at the Duffy Park was somewhere in the 120 feet range. **Cncl. Bryson** commented this will not change the water amount being taken from the MMUA well, they are just limiting us to a certain amount. Ms. Cornforth noted we would not necessarily be limited because if you hit the threshold a higher level permit would be required. However, that requires more oversight and that is what we are trying to eliminate because it involves an extensive hydraulic calculation that could be costly to the township. **Cncl. Bryson** questioned whether the amount of water the state allows us to take would be adequate to keep the facility green. Ms. Cornforth explained the calculation is a rough calculation based upon what the adequate water uses would be for the entire site and knowing that the entire site would not be irrigated the calculation is a little conservative. Mr. Rehmann added the entire park is not green; many parts are natural simply because we did not want to irrigate everything. The MMUA takes water from the Delaware River because the Pinelands looks at the water balance in the Atlantic Basin. Winslow Township also does that but Hammonton doesn't because we are isolated and our wastewater treatment plant goes through advanced waste treatment levels so that we can recharge that water back to the aquifer. It is all about how it impacts Pineland areas and how it impacts vegetation so there is enough water in the future for drinking purposes.

Director of Public Safety Jim Smart reported this is Fire Prevention Week. Fire trucks will be going to the schools and the Williamstown Fire Department will hold its open house on Tuesday, October 11th and Cecil will hold theirs on Wednesday, October 12th at 7:00 PM.

Cncl. Pres., Miller reported hopefully Monroe Township will be the 193rd certified municipality for Sustainable Jersey out of the 565 municipalities in this state and that makes us eligible for grant funding. He thanked Patrick McDevitt, Sustainable Monroe Township and the Environmental Commission for getting points to get Sustainable Jersey certified. He noted the shred day event that was coordinated with the Mayor and Director of Community Development was a great success.

