

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
NOVEMBER 14, 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 approximately **7:03 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. Heffner** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine		Excused
Cncl. Pres., Cody D. Miller	Present	
Mayor, Daniel Teefy	Present	
Business Admin., Kevin Heydel	Present	(Arrived 7:10PM)
Solicitor, Charles Fiore	Present	
Engineer, Chris Rehmann, ARH	Present	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz		Excused
Dir. of Public Works, Mike Calvello	Present	
Dir. of Community Dev., Rosemary Flaherty	Present	
Deputy Mayor, Andy Potopchuk	Present	
Chief of Police, John McKeown	Present	(Arrived 7:30PM)
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Williamstown Market Analysis**

Cncl. Pres., Miller advised the Economic Development Commission has been working on a project in conjunction with Suasion Communications Group. Part of that proposal included a market study that was done by JGSC Group. He then gave some background on a study that Joe Getz had performed previously for the township that kind of sat on the shelf. The current study was done at a substantially lower cost. The group itself (*JGSC*) worked with the Borough of Glassboro where they were responsible for doing a study that determined the type of business that would work in their downtown area. They also have done studies in Jersey City and other municipalities throughout the state.

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B.) MATTERS FOR DISCUSSION (cont'd)

He continued and noted that both he and Ernie Carbone, Chairman - Main Street Committee and member of the Economic Development Commission would like to go through the analysis and highlight some key areas. **Cncl. Pres., Miller** then explained when we go out to business events it seems people need to know more about the township and how we are a growing community and that there is a demand in this area that has not been met. This study involved the area of Sicklerville Road and the Black Horse Pike which we considered to be the area that has most of the business development within the township. He then spoke on the population and household demographics, education and income. Taken collectively the overall demographic suggests successful middle class or lower-upper class homeowners, in middle age with established and well-paying careers, raising one or more children is the market in this area. Another key thing is the development along the Black Horse Pike and how heavily trafficked it is. They did a traffic study and found that within a quarter mile, there is heavy traffic volume on local roads, averaging between 26,000 and 29,000 vehicles daily. More importantly though, regional routes that carry upwards of 79,000 vehicles daily also serve Williamstown. **Cncl. Pres., Miller** then referred to a section in the report on consumer demand and retail supply which shows the expendable income in this area but also what we are lacking. Residents in the trade area (*3 to 5 mile square radius*) spend over \$5.23 billion dollars annually on retail goods and services. Of that spending, more than a one-in-five dollars is spent outside of the area, for a total of \$1.1 billion in unmet demand annually. In fact, retail leakage in the trade area exceeds \$9,000 a year per household.

Ernie Carbone then spoke on the retail leakage numbers included with the study performed some 12 years ago and again in the most recent study. They indicated in the study from 12 years ago that food purchased outside the home (*fast food, restaurants*) from each family was some \$2,500 and today it is up to \$3,300 per family, per year that is leaking out of the township just from that one area (*Sicklerville/Black Horse Pike*). If you take and extrapolate this thing and use only \$3,000 a year per family, instead of taking 16,000 households and dropping it down to 10,000 to make it more understandable, you are looking at \$33 million leaking out of this township. He continued to explain that this study does a couple of things for us, it is pointing us in the direction of where the money is leaking and they go industry to industry to show us where. More importantly, they showed inventory here in town and by doing the demographic and other studies they have determined just what kinds of business we need to bring in here. They are giving us a marketing plan to reach out to specific businesses and a way to go out to those businesses. He then went into the conclusions and recommendations submitted with the plan highlighting certain points. **Mr. Carbone** then noted some of the seminars offered by DCA dealing with Main Street New Jersey. He then advised once you determine what your target market is this company has given us a format to follow with about 19 different items that need to be included and how we have already succeeded in some areas, highlighting certain endeavors (*trolley tours, real estate profiles, host brokers & bankers, etc.*) He noted the focus of Main Street is to increase foot traffic. **Cncl. Pres., Miller** then noted one of the key things that was stated on the report was unless prohibited by zoning regulations, the strong vehicle traffic counts suggest that recruitment efforts should focus on national and regional auto-oriented retailers along the Black Horse Pike, Sicklerville Road, Glassboro Road and Tuckahoe Road.

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B.) MATTERS FOR DISCUSSION (cont'd)

These are some of the areas that we have been contemplating as redevelopment sites and trying to entice national chains to set up shop. **Mayor Teefy** advised the main point here is not to sit on this material, let's move forward, let's stick to our plan and hit the target markets.

M. James Maley, Jr. – Maley & Associates then advised this was just a follow-up to the same thing we went over in a previous work session on a property he referred to as the Mink Lane property. He noted, in a nutshell, there have been disagreements about a specific developer's plan as to what should be at that site. He was advocating in order to advance that we simply begin the process to get this area designated as a redevelopment area and whatever anybody thinks should be developed there will be aided and assisted by getting a redevelopment designation. He spoke on a draft resolution being presented *Resolution Authorizing The Township Of Monroe Planning Board To Conduct A Preliminary Investigation To Establish A Condemnation Redevelopment Area Within The Township Of Monroe, Gloucester County* and how with this you are not adopting anyone's plan, you are not saying anything is okay to be built there, you are just starting the process that goes to the Planning Board then comes back to council as to whether or not this site satisfies the conditions under the redevelopment law, that it would be termed an area in need of redevelopment. Mr. Maley noted that it will however go through a process and come back to you. Once this takes place then we can begin to discuss what it is you want there and what you would like to attract there. The first step is to get a designated redevelopment area, adopt a redevelopment plan that does not change the zoning just simply incorporates the underlying zoning. That then kind of declares to the world that you have the tools in place for this piece of land to actually do something to help developers to develop the land. He explained the resolution (*as noted above*) is asking your Planning Board to take a look at this property and see if it satisfies the criteria to be designated an area in need of redevelopment. The Planning Board will conduct a public hearing on it, they will report back to you with a recommendation whether they think it does satisfy the criteria and you (*council*) could then declare it an area in need of redevelopment. **Cncl. Heffner** questioned the difference in redevelopment versus condemnation redevelopment. Mr. Maley explained there is condemnation and non-condemnation redevelopment and condemnation gives you the authority to condemn, non-condemnation does not. Condemnation would give you the authority to take someone's property and noted this would be a whole separate/different process. It is one of the tools you have but you do not have to equip yourself with that. **Cncl. Heffner** questioned if the Planning Board would recommend to move this forward am I to assume that we will be paying our planners and engineers to design a project that we are willing to accept. Mr. Maley advised, no you don't have to do this at all, you can but you don't have to. He went on to explain that where you are today specifically with this site, you don't need to change anything right now. You just need to market that you are open to look at developing this site. This needs to be broad-brushed, start bringing people in to try and see what the marketplace is ready to build. An in-depth discussion then took place on a number of items specific to this site, the process, the benefit to the township, etc. **Cncl. Heffner** then shared his concern that we will be spending more money on a project that is going nowhere for example Williamstown Square. **Cncl. Pres., Miller** noted the issue we had with Williamstown Square was that we did not have a process in place that had any type of an

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B.) MATTERS FOR DISCUSSION (cont'd)

escrow, we are trying to do this so we don't eat the costs of them wanting to develop the site. The burden of those costs would be placed back on the person that wants to develop the property. Mr. Maley then advised when you designate the area and adopt your plan you can not only require escrows for the town to be reviewing plans you are also allowed, in a redevelopment agreement, to charge an administrative fee. You are allowed to say to them we have already spent this much time and money in getting us to this point and we need you to reimburse us for that. There are many ways with which to recoup fees. There was also some discussion on the former owner, and it was his (*Maley*) understanding that a bank had taken it and that it may have been transferred to someone else. He advised that the prior owner has been yelling and said some inappropriate things to a few professionals so we expect there could be something down the road which is really just a matter of (*as we go through this*) dotting every *i* and crossing every *t*. **Cncl. Dilks** noted in the past it started out really good and when the owner got involved in it, it didn't go anywhere because he wanted a piece of the action and didn't want anyone else involved in it. We had the landfill across the street that was going to be remediated and we spent a lot of time and a lot of money on that. I don't want to go down that road again if this guy is not on board with us. Mr. Maley advised he is not the owner anymore so whatever fight there could be he has a much, much weaker position. As we go through this you are going to have as strong a case as you possibly can. Mr. Maley then explained you are at a point now where he got approvals way back when and nothing has happened. That generic statement will satisfy the criteria to be declared an area in need of redevelopment because part of what you look at is, what are the circumstances with this particular piece of property that it's still empty and nothing has happened here when there are things happening other places close by? There are special reasons here. **Cncl. Dilks** noted there is another way to look at it, because the traffic on that road today is very congested especially during morning and evening rush hour it is very backed up. **Cncl. Pres., Miller** explained that is the benefit of redevelopment because although this is a county road stipulations can be written into the agreement that the road must be widened to ease the traffic situation. Discussion continued.

Cncl. DiLucia commented on the widening of Sicklerville Road and he felt this to be virtually impossible as the congestion goes all the way down to the ACE. He then questioned the solicitor if this puts us in a stronger legal position to fend off a builder's law suit or do you think it puts us in a weaker position? Mr. Fiore advised he felt it puts in a stronger position. First of all, right now we are protected under the current *Consent Order* for affordable housing through Judge McDonald, we are very close to having our plan finalized and it puts us in a much better situation. **Cncl. DiLucia** noted this is all good as it relates to affordable housing but how about the builders that said they wanted to build. Mr. Fiore spoke with regard to the builder's remedy originally it was approved as Tanbark which was a COAH project approved way back when he believed it to be a 112 – 117 units/townhomes that never happened adding at one point in time there was a plan that was brought forward and he went on to speak of what transpired with that. He felt it gives us greater leeway at this point in time. **Cncl. DiLucia** questioned the solicitor if he felt putting this resolution through gives us more defense against lawsuits. Mr. Fiore responded, yes. Mr. Maley then responded, your best defense is you are about to have your plan approved. The solicitor then noted under the MLUL generally you cannot require a developer to pay for off-site

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B.) MATTERS FOR DISCUSSION (cont'd)

improvements, under redevelopment you can as that is a tool that we have. So, you could have the developer pay for the cost of widening to whatever extent you could. **Cncl. Caligiuri** posed a question, in the past we had three (3) designated redevelopment zones and we never sent out any RFP and I would assume sending out RFP's greatly enhances the prospects of getting a proposal, right? Mr. Maley explained, it all depends on what the situation is. We use RFP a lot of times to see what the marketplace thinks might happen at a particular location, just to get other ideas. Then again, there are times when someone is ready and is interested in a parcel. You don't have to go out with an RFP, under state law you are not required to. However, it is a practice that we advocate a lot when you are not sure what is going to happen. **Cncl. Pres., Miller** then noted this location would be the landfill and the Verizon building and this gives us the ability, if those business owners want to improve their sites, this is going to hopefully improve that entire section. A question was posed on the inclusion of the landfill. Mr. Maley explained it is good to have the landfill in there for a couple of reasons, one being it helps with evaluating the criteria for the area. The second being, if there is any state monies out there it gives sort of a gold star in a lot of state programs, it is just a help.

Business Administrator, Kevin Heydel advised on applying for the HDRSF grant that will help us with the remedial action on that site, that grant requires that you do something in redevelopment within three years. There was some discussion on remediation with Mr. Maley advising there is all different levels of remediation but again all those things are way down the road, this is all just to give yourself a basic set of authority and power to now work with whomever, with whatever to see if it is something you want to do. What we do a lot anymore is we will adopt a plan, you have to adopt a statutory plan but that plan can do nothing other than incorporate your underlying zoning. It doesn't change anything but there are some check list items you have to have. You have to address what, if anything you would do with affordable housing that exists there today, you have to say whether it is consistent with the master plan, what its relationship is with neighboring towns, etc. There are a whole bunch of things you have to talk about. He then went on to talk on a township wide redevelopment plan taking place in Galloway Township that is changing absolutely nothing but once it is adopted it gives the town the power to work with anybody in any part of town, anytime they want to.

Cncl. Caligiuri noted in the past that was designated as a redevelopment zone and in order for that to happen I would think that our planner has already pre-qualified it. Mr. Maley noted there was a report done before that would need to be updated to say *there is still nothing there*. There are some other requirements dealing with state law as they tend to change a little bit but we are not starting from scratch, that's for sure. **Cncl. Heffner** questioned if you make this a redevelopment zone does that exclude you from any kind of Brownsfields money. Mr. Maley noted that it does not, if anything it helps you because it gives you that gold star of a redevelopment area. **Mayor Teefy** spoke of the properties located on the right hand side of Sicklerville Road going toward the ACE, questioning the zoning as residential. The zoning was not confirmed on that. The mayor then noted once we overlay this with redevelopment the zoning stays as is but questioned if we could make a change to a portion for commercial use. Mr. Maley indicated you could do that and one of the

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B.) MATTERS FOR DISCUSSION (cont'd)

nice things about this is once you have a redevelopment plan it is very quick and easy to amend your plan. He then spoke on the process involved with a change to your zoning but in a redevelopment area those rules are all gone. You are allowed to adopt zoning in a redevelopment area that does not conform to your master plan. The reason being because you have already designated this as an area that has special conditions. **Engineer, Chris Rehmann** noted he has been working with Evesham Township on redevelopment and spoke of the old Olga's Diner location on Rt. 70 and Rt. 73 where a three-story medical building will finally be constructed after many years. He also spoke on other initiatives in the area adding the ability to take a property that is not gaining you anything new in your town really is the successful way to go. He also gave other examples where redevelopment worked in downtown Marlton along Main Street. Questions were then posed with respect to a zoning change in a redevelopment area. Mr. Maley advised if you are in a redevelopment area and you are requesting a zoning change the governing body would have the authority to do that through the ordinance process. It is an easier process than getting the zoning law changed just generally.

Director of Community Development, Rosemary Flaherty noted the only concern she has with this property is that we do have a developer that wanted to come in and do a mixed use project consisting of apartments, commercial and single family dwellings on under-sized lots. It would be my recommendation that we would definitely create a plan and put it out there globally and do what Cncl. Caligiuri said to put an RFP out and let's get the best of what we want to see happen at that property. The landfill, in my opinion, already should be Brownfields redevelopment. Again, discussion continued on all the aspects of a redevelopment area. Mr. Maley urged council to get this piece (*Resolution as noted above*) done first as it is not going to take that long. You don't go figuring out your plan when you don't have any authority to do one.

Cncl. Caligiuri made a motion to move forward the Resolution as referenced above to the regular council meeting agenda for approval. The motion was seconded by **Cncl. Dilks** and unanimously approved by all council members in attendance. It was noted for the record this resolution would be numbered R:227-2016.

• **Monroe Township Landfill Closure**

Mayor Teefy advised that we are trying to close this out and we would like ARH to go out and re-evaluate what needs to be done to get us out of the warning stages with the state and figure out a real plan to get this thing closed up. We have \$100,000 included in the capital budget and we have a resolution to award ARH a contract in the amount of \$5,000 in order to begin this process. **Cncl. Dilks** noted in the past the state dictated what had to happen out there. **Solicitor Fiore** then advised way back when Remington & Vernick was the township engineer they came up with a study and a plan that included building a slurry wall and he spoke of the methane levels and how they have diminished. Now, we have our township engineer coming up with a proposal just to see where we are. Several studies have taken place over the years and rather than spending additional monies on engineering maybe

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B.) MATTERS FOR DISCUSSION (cont'd)

just again seeing where we are and then looking at the redevelopment process perhaps to fund it in some way. He then gave some background information on the matter.

C.) PUBLIC PORTION

Cncl. Heffner made a motion to open the Public Portion. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of council in attendance. With no one wishing to address council members **Cncl. Heffner** made a motion to close the Public Portion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of council in attendance.

D.) NEW BUSINESS - None

E.) OLD BUSINESS

Cncl. Heffner questioned the outcome of the committee meeting with regard to the gas lights in the Forest Hills development. **Cncl. Pres., Miller** advised the committee (*Miller, DiLucia, McIlvaine*) took into consideration there will be a new council coming on and we felt that we will gather all the data in terms of what the costs would be for the gas we are paying for as well as the maintenance to make sure that the numbers are accurate. **Cncl. Heffner** noted he was confused as we have the bills in front of us, how is there any other way to determine the bills. **Cncl. DiLucia** did note that he would like to see the bills for the last five or six years however he did see the bills for a one year period. He would also like to see the original approval of the property as to where those lights were zoned, were they zoned on the residents properties or were they zoned on township property. He (*Luby*) contended that those lights belong to him but we have an agreement that says they belong to the gas company so go back to zoning and see who those lights belong to. **Solicitor Fiore** noted he looked at this and it appears as though the lights are in the township right-of-way and I know that Mr. Luby referenced the fact that the Forest Hills Civic Association had interceded in an action before the PUC (*Public Utilities Commission*). What happened, he was accurate in that the township had actually given permission to remove the lights along the entrance at Forest Drive. Then they had interceded in that particular action and there is no record of any formal action taken indicating that the individual homeowners are the owners of those lights. Therefore, it was his opinion that this is under the control of SJ Gas and the township. It would be quite unusual that someone would control that public amenity/item that is going to provide light to the street and I would be surprised if we gave up that control. **Cncl. Pres., Miller** indicated at the next council meeting we will have a report on this.

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E.) OLD BUSINESS (cont'd)

Cncl. Dilks advised the timing of the lights at the intersection of Berlin Cross Keys Road and the Black Horse Pike appears to have been done. He was at the location on both Saturday and Sunday and he only sat through two lights, which he felt was an improvement.

Solicitor Fiore reported that we closed on the Stadnick property (*Block 5501, Lots 7, 8, & 9 – 2708 S. Black Horse Pike*) and it is now owned by the township.

F.) COMMITTEE REPORTS

Cncl. DiLucia reported the law committee (*DiLucia, Heffner, Miller*) met with regard to a Tax Abatement application that had been received submitted by someone who wanted to re-hab a property on Sicklerville Road. He advised this was a rental property, it is not a hotel and is not something the committee feels falls under the abatement process. It was the recommendation of the law committee to deny the abatement application. Mr. Fiore advised he would prepare a formal resolution for the next council meeting.

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Heffner posed a question with regard to Resolution R:218-2016 *Resolution of the Township Council of the Township of Monroe, County of Gloucester, Supporting Senate Bill 2663 and Assembly Bill 4234*. **Business Administrator, Kevin Heydel** advised what the JIF is doing is changing the investment strategies. **Mr. Maley** then noted this would allow the JIF to, in essence, lend the money to municipalities (*to its members*). You would be able to go to your JIF to borrow money for presumably a lower number and allow the JIF with the money they hold to earn more money.

Cncl. Heffner then questioned the Resolutions (*R:221-2016, R:222-2016 and R:223-2016*) scheduled with regard to receivable balances. Mr. Heydel explained these are to clean up receivables and noted you get a grant coming in you set up something on the revenue side and on the appropriation side. What happened was sometimes we are not off-setting them in the right places and went on to give examples of how this procedure would work.

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 November 14, 2016. The motion was seconded by **Cncl. Dilks** and was unanimously approved by all members of Council in attendance.

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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 November 14, 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 Am
Approved as corrected _____

Date 11/28/16
Date _____