

MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
MARCH 27, 2017

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Bart McIlvaine** at approximately 7:00 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.: Gloucester County 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. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski	Present	
Cncl. Bob Heffner	Present	
Cncl. Joe Marino	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Bart McIlvaine	Present	
Mayor, Daniel P. Teefy	Present	
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Eng., Chris Rehmann, ARH	Present	
Dir. of Finance, Karyn Paccione	Present	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Public Works, Mike Calvello	Present	
Dir. of Code Enforcement, George Reitz		(Resigned)
Dir. of CommunityDev., Rosemary Flaherty	Present	
Deputy Mayor, Andy Potopchuk	Present	
Chief of Police, John McKeown	Present	(Arrived 7:10PM)
Twp Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Monroe Township Little League**

Nick Fortunato, President Monroe Township Little League was in attendance to extend an invitation to Mayor and Council to participate in the Opening Night Ceremonies scheduled for **Friday, April 7, 2017 at 6:00PM**, line up will be at the rear of the Pfeiffer Center and the teams will march to the field from there. He thanked Mayor and Council for their continued support of the association, emphasizing how well the fields are looking.

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B.) MATTERS FOR DISCUSSION (cont'd)

- **Refund/Cancellation of Prior Year Property Taxes**

Cncl. Pres., Bart McIlvaine referred to an email from Tax Collector, Joanna Potopchuk with respect to a request from a township resident/homeowner who is a 100% totally disabled veteran seeking a refund for her 2016 taxes totaling \$9,756.63. She just recently became aware that her 100% exemption would exempt her from paying real estate taxes. The county tax assessor approved her application on March 20, 2017 and her 100% permanent, total disability was effective April 15, 2008 from the Veterans Administration. **Cncl. Pres., McIlvaine** noted that he personally, while he respected that fact this was a 100% totally disabled veteran, did not wish to open that can of worms. If we start this precedence then I believe we will have others that come before us requesting back taxes. Again, he reiterated he respected the fact she was disabled and he was in favor of this from the date the county approved her application moving forward. There were some questions posed by council members along with a brief discussion. **Mayor Teefy** added that one person, two years ago requested the same back to 2010 and we stuck to the letter of law, when you apply and get accepted that is when it begins and you work with the tax collector on that. He added, once they apply they are getting approved rather quickly. **Cncl. Pres., McIlvaine** noted from what both the Mayor and Tax Collector have advised currently there are approximately 90 veterans on 100% disability status. The consensus of council members was to go with moving forward from this point, no back taxes. **Cncl. Pres., McIlvaine** will correspond with the Tax Collector on the decision.

- **Property Tax Card Program**

Cncl. Marino advised of a meeting that took place with the EDC (*Economic Development Commission*) adding that this program was approved via resolution in 2014 (*R:76-2014 Resolution of the Township Council of the Township of Monroe Supporting a Property Tax Rewards Program to be Implemented as Part of the "Buy Monroe" Shop Local Campaign*). We are now looking to re-ignite this program and get it moving in a positive direction, adding that everything is pretty much in place except for how we will administer it within the township. **Rick Coe - EDC Member** noted he felt the property tax card idea is a very good one and he felt it would be a great public relations vehicle. The day-to-day administration of the monies is going to be done by the company running this program. What we see though is a need within the township to get out there and promote this card to the local businesses as well as to the residents. He felt it may be somewhat of a temporary job for a certain duration to promote this, perhaps somebody who currently works for the township could do this as we estimate it would take some 10-15 hours a week to devote to this task or alternatively to hire someone. **Cncl. Marino** noted the original roll out of this is where the bulk of the time consuming would be and once that is done it would be somewhat of a maintenance item. We have a lot of different avenues (*organizations, boards, etc.*) where we can reach out for support but it is a lot to initially roll out at one time with a town of this size from the volunteer board standpoint. **Mr. Coe** added from the volunteer board standpoint all of us have jobs during the day and this would be the type of thing that needs to be done during normal business hours, particularly the component of going out to the businesses. He then noted that Voorhees has this program and they have a good

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cross section of businesses and the program is sponsored by Republic Bank who actually has their logo on the card. But you must go out and make contact to promote and sell this. On the resident side, someone will need to reach out to different organizations to get the word out through the community. Another component he spoke of was to pick a business in town that would sponsor the cards themselves, actually pay for the cards. **Director of Finance, Karyn Paccione** noted that Glassboro has this program and she is the CFO there as well. She then went on to explain they do have a full time Economic Development staff that kind of initiated this project but there wasn't a lot of man power time involved, it was a matter of scheduling business owner meetings. Also, we provided incentives for example, the first businesses to participate in the shop local card, we (*borough*) paid for their terminals as there is a cost for the merchant to join. She added that Investors Bank did contribute money for the cards, so rather than all the residents coming to the borough to sign up we directed them to the Investors Bank location to pick up their card, this way it gave the bank walk ins and perhaps the bank got customers from this. **Cncl. Marino** questioned if there was a positive reaction to this. **Mrs. Paccione** responded yes, and went on to speak of various ways to advertise this program.

Cncl. DiLucia noted it was apparent that the difficulty with the EDC over the years has been to get enough time to promote something. There has been \$5,000.00 set aside from a bank and all we needed was another \$5,000.00 and it has been two (2) years and nobody has been able to raise that money. He noted he felt it was a worthwhile program but one thing he suggested and felt would be worthwhile was to put out an **RFQ/RFP** to hire a public relations person whose responsibility would be to go out and do the promoting of this with both businesses and residents. He spoke of where to go to get the money because we don't want to tap into the general fund. As he recalled when they made their presentation the company that administers it takes a 25% administrative fee, so perhaps we could set aside 3% or 5% towards a fund that would offset the cost of that person out there. That way you could have money ongoing and hire someone as long as you needed to continue this and recycle it and promote it. He felt this would be a continuous thing where percentages will fluctuate, people will drop out /drop in and you will have to have someone with their finger on this. Even if the number would be 5% that we would hold back as an administrative cost, the residents would still be getting something. **Cncl. DiLucia** felt this wouldn't cost the township anything and it wouldn't be a hardship on the taxpayer and it would be so that we have money set aside to actually hire somebody that is proficient in this area to go out there and promote this. **Cncl. Miller** noted we already have some 25 businesses signed up for this program and are ready to go and the leg work to get the initial number signed up has already been done. Now, it is just a matter of getting that \$5,000.00 and then someone administering the program, correct? **Ernie Carbone – EDC Member** responded yes, adding that **Cncl. DiLucia's** point is well taken because it is a sales situation like anything else. If you are going to put this into place, somebody still has to watch it. The businesses have to be brought into the program and then maintained regularly, otherwise they will go away. **Cncl. Heffner** posed a question with regard to the 25% figure included in the proposal. Mr. Carbone explained it is 2½% of the gross, when it comes down to the final number it's 25% of what they call the rebate. **Cncl. Marino** noted right now we have one sponsor, we could do a co-sponsor on the card, advertise front and back as we have some

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B.) MATTERS FOR DISCUSSION (cont'd)

options with raising the other figure. **Mr. Carbone** noted he firmly believes we should go out and try to come up with the other \$5,000.00 so that the township doesn't have to do that. **Cncl. Marino** advised we are looking into signage at various locations/businesses and at the Welcome to Monroe signs. **Cncl. DiLucia** noted a question was raised when this was originally discussed on if we had to take a business from outside of the town and he believed the answer was yes. Therefore, you need to be aware that this cannot be closed to just the businesses in town. Questions were posed in regard to this and the solicitor indicated that he needed to take a look at this, he will review this and get back to council. **Cncl. Pres., McIlvaine** then noted what the EDC would like to do is have the gentleman who represents the firm handling this come back before council members to advise them on the program. This could possibly be done prior to the next work session at 6:00PM if all were in favor of scheduling a meeting. We need to move on this, if it means we have to hire someone part time then we will have to go to the Mayor and request he gets someone rolling on this. He felt this was a great idea and he didn't want to see it just keep getting kicked down the road. **Cncl. DiLucia** noted what we should do before anyone comes in, we should make a decision whether we want to negotiate with them on the percentages involved.

Mayor Teefy noted we have been at this before and he has seen the dog and pony show twice and I know what it is about. If you guys are in support of a part time person to run this and kick it off we don't have anyone (*township employee*) currently as you can't add more duties with what everyone is doing. So, we could bring someone in part time for 10-15 hours a week that will cost us between \$12,000.00 - \$13,000.00 but he felt we would see a pay off in the long run. He felt it would be a real plus to bring a part time person in the EDC world. We already committed the other \$5,000.00 but we had no one to administer this, sell this and get the program out there. It is a lot for the EDC volunteer wise to be here during the day, make all those calls just to get the ball rolling. We need someone in here to administer the program. **Cncl. Pres., McIlvaine** noted that he felt if everyone was onboard with hiring a part time person then there really is no need to have a meeting and we can get right on this. **Cncl. DiLucia** noted whomever we hire they would have to have some expertise in that area.

Director of Finance, Karyn Paccione spoke on how Glassboro promotes how residents receive credits on their tax bill in July, she explained it is like a mortgage file when the mortgage comes in from Property Tax Card it shows like a credit on the tax bill so they are actually going to see the credit on the bill. If you are a non-resident and subscribe to the program you would get a check once a year. She felt the program was a positive, like a win-win for both merchants and residents. At this point many people were speaking at once and the discussion was inaudible.

• **Bail Reform – Criminal Justice Reform Act**

Chief of Police, John McKeown commented on the number of Resolutions being received from neighboring communities with respect to the financial impact this (*Criminal Justice Reform Act, NJSA 2A:162-15 et seq.*) has on municipal governments. He then went

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on to give some background information on how this came about in the form of a statewide ballot question for a constitutional amendment to bail reform. That was to substantially change the way people were treated prior to sentencing/disposition. Previously, we would arrest someone and if they met the criteria for appearing to be a danger to society or a flight risk or a whole series of other offenses we would contact the judge, the judge would impose bail and would either collect money or they would go to jail pending their hearing, then would have subsequent bail hearings to determine if the dollar amount set by the judge was correct or if it should be amended. People without money sat in jail for a long time, hence the desire for bail reform and at face value it sounds like a very equitable thing to do. There is no more money involved with bail it is based solely on the pre-screening assessment chart that determines risk and risk factors are available to the judge and prosecutor. However, this tool that is being used now is very restrictive and sets a numeric criteria based on an algorithm. What it has accomplished, it has taken the dollars out of bail so it doesn't matter if you are rich or poor if you appear dangerous based on this screening you are going to spend time in jail for 48 hours until you get another bail hearing. Then a decision is made if you are going to remain in jail from that point until your trial or release with some restrictions. He noted that was the concept but what has happened to the criminal justice system as a whole is that we are spending an enormous amount of time and energy on this system. The pre-screening assessment has made some mistakes and he went on to elaborate on that. **Chief McKeown** advised this is a constitutional amendment and the State Attorney General as well as the State Supreme Court have made it clear that this is a work in progress and it will not be repealed, so get used to it. He explained what we (*MTPD*) had to do and how this has impacted on the department. We had to make some changes in our working environment explaining each scenario in areas of arrest times, record keeping, etc. In conclusion, he advised the Gloucester County Chiefs Association has a member on an advisory board that was just formed to try and make some recommendations and the State Chiefs Association also has an advisory panel that is working with the Attorney General. They are trying to streamline some of this and that is probably, in his opinion, our best hope. Working on how can you streamline this and make this process/assessment happen faster and in the same time frame it used to take to make an arrest and how can we make this safe for the public. **Solicitor Fiore** noted he felt the spirit of the proposed resolution is that, if the state is going to mandate this then the state should pay. There was no mechanism put into place whereby municipalities and governments were going to be provided monies for additional manpower, etc. Chief McKeown was all in favor of any way we can try to finance this as it is going to impact and already has affected our ability to provide public service. Mr. Fiore went on to advise of other areas dealing with the public defenders that will also be affected and the financial impact this could cause as to the widespread additional costs to the municipality. A resolution will be drafted for the April 10th meeting.

Cncl. Pres., McIlvaine noted we will be doing work on WFC as well as building Cecil Fire a new facility. He noted he would like to appoint a committee, that committee will consist of the Mayor, Business Administrator, Cncl. Marino, Cncl. Garbowski, Cncl. Heffner, Jim Smart and Mr. Fiore. Then both departments should be appointing committees or however they have chosen to work this out. Mr. Heydel is ready to go out

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with the RFQ/RFP for the architect and he will be the contact person on this project. He also advised that both himself and Cncl. Miller being firemen, they have been asked to step aside on this. He noted that he fully trusted all the people involved and felt everything will work out great. **Cncl. McIlvaine** then noted that he would like to see Joe Kurz be Chairman of this committee and oversee the meetings. **Cncl. Marino** noted that with the acquisition of the property next door to the WFC the scope of the project kind of changed completely so we would like to start with a fresh slate and hopefully this project will move forward in an efficient manner.

C.) PUBLIC PORTION

Cncl. Miller made a motion to open the Public Portion. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council in attendance.

Dominic Burgese – B&B Auto Repair approached council with a question regarding the Towing ordinance scheduled for 2nd reading at the regular council meeting. He referred to a portion that states we must have written verification from Zoning (*Chapter 262-6 A(7)*) and he was advised this would not apply, we don't need written verification. He requested that this be reflected on the record so that it is not a problem later on. **Director of Community Development/Zoning Officer, Rosemary Flaherty** noted this was brought up at the ordinance committee meeting and what Mr. Fiore said, what has happened is they have to just make sure that they are compliant with the zoning file, it doesn't require an actual inspection. Because to have me go out there, I guess in a sense, it would be county-productive for most people because I am such a strict enforcer but what I am going to look at is going to be a little bit different then someone else who looked at it before. So, to be fair if anything has changed from last year of anyone who was included on the towing list to today, just make sure that you have your approvals but not to start up new inspections, that is how she was guided. **Mr. Burgese** then questioned the RFP for the 3rd party administrator, does this mean that person is going to have power of attorney for the police in order to get the titles. **Solicitor Fiore** explained the police department is just going to do the search that is required and everything else is going to be handled by the 3rd party administrator. **Mr. Burgese** noted that he has spoken to motor vehicles about doing it himself and they said as long as the police would give him power of attorney that he could do it, questioning if this was something he could do himself or do I have to use the 3rd party administrator. **Mr. Fiore** advised that the police department has the ability to authorize someone else to do that. It would not be a very good idea to have the individual tower do that. He added there a few companies out there that do this. **Mr. Burgese** also noted the ordinance states we have to include "drivers' abstracts" and an employee of his has a problem when the abstract is submitted with the application it becomes public record, the employee does not want their abstract to become public record. **Solicitor Fiore** indicated, you cannot prevent that it is part of our ordinance. Discussion went back and forth as to if there was anything the employee could do to prevent her abstract becoming public record. **Mr. Fiore** noted, if you can show legal reason that precludes that from happening then we won't do it but just get that to me and I will review/address it.

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C.) PUBLIC PORTION (cont'd)

Anna – B&B Auto Repair brought up the title searches and noted that perhaps you look into the Glassboro Police Department as they have their own guy who actually does the title searches and it doesn't cost the town on their list anything. **Mr. Fiore** noted we discussed this and it is a manpower issue with the police department. **Cncl. Pres., McIlvaine** added there is no reason why the taxpayer should have to pay for someone else's vehicle being towed or for you guys to tow someone else's vehicle. The towing issues within Monroe Township have already cost the taxpayers more than enough. We don't even want to be involved in the towing business, period. We can't justify paying someone to do the work for you guys. **Mr. Fiore** then referred back to the issue on the drivers' abstracts, adding even though certain things are discoverable under OPRA, that personal abstract may not be, even if the police department has it in their file we may not be required to release that to the general public.

Joe Fisona – Gibson Lane approached council with his findings pertaining to the timing of the traffic light on the Black Horse Pike and Cross Keys Road. He noted he has been in contact with **Joseph Fatatis**, Supervising Engineer, NJDOT. **Mr. Fisona** then proceeded to read into the record the correspondence received from **Mr. Fatatis**.

Based on my staff's recently completed investigation, the intersection is over capacity on all approaches during the AM and PM peak hours. There is no realistic timing adjustment we can make to resolve the back-ups. If we give more green time to the CR 689 approach, Route 42 will back up even more so. The left turn lanes on Route 42 are already spilling over and blocking the through lanes. Intersections requiring significant geometric improvements to operate efficiently the only improvements (inaudible) that may help to a degree but are not totally resolving are providing a double left turn lane on Route 42, that would then allow us to buy more green time on CR 689. We are currently investigating if we can design and build a double left turn lane, in house through our maintenance process. If we can not then Monroe Township will need to submit a "problem statement" to DOT to have the department get a long term solution at the intersections of Route 42 and CR 689. Unfortunately, both options would take significant time to (inaudible).

Mr. Fisona then questioned, if they (NJDOT) can't do it what does submitting a "problem statement" take. **Cncl. Pres., McIlvaine** noted that is what we asked **Sgt. Burton** to do previously and I would direct you to the Chief of Police who can put you in contact with **Sgt. Burton**. The Mayor requested **Mr. Fisona** send him via email a copy of the letter and he will forward this to the appropriate personnel. There was continued discussion on prioritizing intersections, funding mechanisms, etc. **Engineer, Chris Rehmann** then spoke on right of way acquisition and how difficult of a process it is.

Cncl. Miller made a motion to close the public portion. The motion was seconded by **Cncl. Marino** and unanimously approved by the members of council.

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D.) NEW BUSINESS

Mayor Teefy requested to make his appointment for Director of Code Enforcement at the Regular Council Meeting.

E.) OLD BUSINESS - None

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - 3/27/17

Solicitor, Charles Fiore noted that R:119-2017 (*Resolution Authorizing Closed Executive Session of the Township Council of the Township of Monroe to Discuss the Stirling Glen Basin*) was not needed at this time as there is a deadline of April 15th for the developer, therefore it is not necessary to hold the closed session at this time, we will reschedule (*if needed*) as that date approaches.

H.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - 3/27/17

I.) ADJOURNMENT

With nothing further for discussion, Cncl. Garbowski made a motion to adjourn the Council Work Session of March 27, 2017. The motion was seconded by Cncl. Miller and was unanimously approved by all members of Council present.

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 March 27, 2017 and serves as only 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 AmJ
Approved as corrected _____

Date 4/10/17
Date _____