

MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
APRIL 10, 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. Pres., McIlvaine 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., Kathryn Cornforth, ARH	Present
Dir. of Finance, Karyn Paccione	Excused
Dir. of Public Safety, Jim Smart	Present
Dir. of Public Works, Mike Calvello	Excused
Dir. of Comm Dev/Code Enf, Rosemary Flaherty	Present
Deputy Mayor, Andy Potopchuk	Excused
Chief of Police, John McKeown	Excused
Deputy Chief, Stephen Farrell	Present
Twp Clerk, Susan McCormick	Present

B.) MATTERS FOR DISCUSSION

Cncl. Pres., McIlvaine noted as no Matters for Discussion were scheduled on the formal agenda he opened the floor for discussion on any matter brought forward.

Solicitor Charles Fiore spoke on *Ordinance O:18-2017 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 175-151.1 (Wireless Telecommunications Facilities)* scheduled for 2nd reading at the regular council meeting. He explained there were a couple of minor language changes to the ordinance from the one that was Introduced for 1st reading.

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B.) **MATTERS FOR DISCUSSION** (*cont'd*)

He explained the changes were italicized versus bolded and underlined. He then referenced the changes one being, ***page 4 C. (1) b*** were there was additional language also ***page 5 C. (3) c*** where the addition of technical language was needed. Mr. Fiore then advised the rest were a few minor changes that did not constitute a material change, therefore it was ok to move with 2nd reading.

Cncl. Rich DiLucia noted that he wished to re-visit the discussion on the Economic Development Committee as it pertains to the tax card program. He noted he was under the impression what was discussed at the last work session was a discussion to formalize two (2) things, one being how to fund the cards and secondly how it was discussed to get someone that had some background in promoting this type of program and hiring such a person. **Cncl. DiLucia** then noted it was his understanding that someone was hired already without soliciting this position through an RFP. **Mayor Teefy** then gave an update on this matter as there was a good discussion at the last work session meeting to get someone to get this tax card program kicked off. We struggled for the last 2-3 years in getting this accomplished. In looking at that, what I did was to go ahead and hire a *temporary part-time* clerk position in the Division of Community Development. He then noted he offered Ernie Carbone the position of clerk for 15 hours per week. Then, I would like to go out for an RFP (*with council's approval*) and move forward with bringing someone in under contract for an appropriate amount of time, 1 or 2 years. Hopefully, this can be kicked off and ready to go by summertime. **Cncl. Pres., McIlvaine** questioned the timeframe in which the Mayor would like to move forward with the RFP. The Mayor indicated he would like to see this placed on the agenda at the next council meeting and move forward from there. **Cncl. DiLucia** then noted the only problem he had with the way it was presented to him at the time, since then there has been a change, was they were going to hire someone in the classification of clerk typist, adding he wasn't sure how we would justify that. He noted he understands civil service and he did speak with Mr. Heydel regarding this title, etc. He then went on noting his opposition adding that he understands if you hire someone temporarily that there is a provision in the contract which provides for that which he felt was there to accommodate summer help. However, the provision says when you hire them if you extend the four (4) months they become permanent employees. He did not view this as something that is going to end in four (4) months. He felt to make this tax card program something that is worthwhile there should be constant monitoring for a longer period. Initially, my concern was that if you put someone in a job with a collective bargaining agreement, then after 4-5 months you inherit an employee, their benefits are retroactive to the date of hire, they have seniority, bumping rights, promotion rights, accrual of benefits rights, etc. Why do we want to get involved in that? I would agree, if you are going to put out an RFP that would be a contract with a defined period of time to include periodic reviews and if they do a good job then you continue to provide (*renew or extend*) the contract to them. **Cncl. DiLucia** went on to note that he was opposed to the other way. He then made it clear he did not care who gets the job, it has nothing to do with personalities, whomever gets the job certainly we will review their progress to see if they are doing a good job (*whether subcontractor or someone internally*). The Mayor can hire whomever as long as it is

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B.) MATTERS FOR DISCUSSION (*cont'd*)

understood that he is not under the collective bargaining agreement and that his employment ceases before the four (4) month period. If he is going to go beyond four months, then I say he has to sign a contract/employment agreement. **Cncl. Pres., McIlvaine** then questioned just how we handle the per diem ambulance personnel. **Business Administrator, Kevin Heydel** advised a lot of those work on average four to eight hours a week, they are per diem persons and not in the union. **Cncl. Pres.**, then questioned after four (4) months do they become permanent and how would this hire be different. **Mr. Heydel** explained the hours they work aren't enough and we categorize them as per diem people. Because they may do four (4) hours a week, they may do six (6) hours a week or even eight (8). They are not hitting a big threshold on that. **Cncl. Pres., McIlvaine** then questioned how is this different from what is being discussed. **Mr. Heydel** noted there really is no difference it is just in the way we handle them. That will change once we get into contract negotiations because one of the things we want to get away from is we wanted more permanency but we want that permanency to fit our scheduling. Right now, the contract states it is a forty (40) hour work week and we want to go to thirty-six (36) hours because we want to do twelve (12) hour shifts. That will be part of our next negotiation period, what we will wind up doing is phasing out a lot of those part-timers, getting in twelve (12) hour shift people, then supplementing those with per diem people that are eight (8) to ten (10) hours per week. We don't want to tie our hands by hiring full time people at forty (40) hours when it doesn't serve our best interest to do so.

Cncl. DiLucia noted for the purpose of this discussion so there is no misunderstanding, the terminology of a part time employee is interchangeable. You can be a part time employee under a collective bargaining agreement, if it is specified they are allowed. Or you can be a part time per diem employee outside of a collective bargaining agreement. This person initially was going to be hired under the collective bargaining agreement under the provision of being a "temporary". Now, the only thing that makes them "temporary" is the four (4) month parameter, there is no such thing under the contract as a "temporary" employee, there is however part time. When you are hired, unless hired under the provision you are either a regular full or part time employee entitled to whatever benefits there are. The question of when you have to join a union has nothing to do with whether you are an employee or not. Joining a union is something that is negotiable. Now, a person under our contract that comes in as "temporary", if they go one (1) day over four (4) months they have all the rights under the collective bargaining agreement. He added, my concern and in my opinion this is more than a four (4) month job, you are going to want to retain a person for more than four months with this program as it is going to be an on-going thing. He stressed he is certainly agreeable to do whatever is best to get this thing rolling but I had put out the idea to offset the \$5,000.00 cost, if it cannot be raised through the businesses, to negotiate with the administrative company who will be running the program whether they would offset some of the percentage of their 25% for an interim period of time to pay someone, or even perhaps a portion of that. The other option which we didn't discuss or finalize was where does the money come from? Because we had discussions that not a penny would come out of the treasury. Now if we want to

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do something different there has to be a consensus of council. **Cncl. Miller** spoke on this and noted we did approve the funding at one point in time. **Cncl. DiLucia** responded, no it was never approved, there was discussions on it. If that was the only way to get this started and that was a last resort I would probably say let the Economic Development Commission take it out of their budget but if that wasn't acceptable then I would probably go along and say if you want to take it out of the treasury, take it. He felt it was very important because it benefits the residents and I certainly don't want to stop it over \$5,000.00. **Cncl. DiLucia** continued and noted we could raise the \$5,000.00 if the right person was in there, doing the job and going around to the businesses and soliciting this program.

Cncl. Marino – Liaison to the EDC advised that as of his last meeting with the EDC they still plan on raising that \$5,000.00 or finding a co-sponsor as they already have \$5,000.00 from Investors Bank. He advised the first thing we have to do is get that second sponsor then a roll out is done in a town hall type setting and then we cut the person loose to continue on. Discussion continued.

Business Administrator, Kevin Heydel advised of two phone conversations, one with the Labor Attorney and another with the Business Agent from Local 1360. I spoke to the Labor Attorney on the civil service standpoint and how it allows you to do a "temporary" appointment for six (6) months and you are able to extend that for another six (6) months beyond that, so you technically can have a "temporary" up to twelve (12) months. He then advised when he spoke with the Business Agent and asked about the four (4) month provision she then went back to the President of Local 1360 and asked the question. It was noted that after four (4) months they need to be put in the union, it doesn't make them a permanent employee, by putting them in the union they are subject to union dues. He added, he felt the way this would work is at that time what they would do is get the pro-rated benefit of whatever part timers get which is pro-rated sick time and pro-rated vacation time. But the contract does not make them a permanent employee, it is civil service that makes that distinction. We can hire someone but after four (4) months now you are paying union dues, you are going to get pro-rated time but it doesn't hold them to a permanent position with the township.

Cncl. DiLucia did not agree and whomever came up with that interpretation is wrong. If you have a contract or labor agreement it is between the parties. The only thing they can't do is create a provision that would counter a state or federal act. The idea of when you join a union has nothing to do with when you become an employee, you theoretically become an employee on the first day of your employment. The union has a legal obligation to represent the contract for anybody that punches in on the first day and that is labor relations 101. He continued and noted there has been a contract negotiated that says the employer is going to get something beyond that, they are being allowed to hire somebody for four (4) months as a "temporary" because you are identifying that it is "temporary" and the term of employment without being in the bargaining unit is four (4) months. After that with no language they are

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automatically (*inaudible*). **Cncl. Pres., McIlvaine** then noted this may be a mute-point as he believed the Mayor was only going to keep this person for a brief period, then jump into the RFP process and go under contract with someone. **Mayor Teefy** advised this pretty much is the case and that is kind of the reason we are moving in that direction to eliminate some things, we really just want a person to administer this program, get it kicked off and get it rolling. This is a benefit to our residents and is also a selling tool for businesses coming in.

Cncl. Pres., McIlvaine questioned the Mayor if he anticipated keeping someone past four (4) months. **Mayor Teefy** responded when the RFP is drafted and approved via resolution then the 30 day period for advertising is met, then boom, that would bring us to June 1st. **Cncl. Marino** noted for clarification, Ernie Carbone will come in here temporarily to kick this thing off and from that point it goes out to an RFP indicating the special criteria necessary. The Mayor noted that was correct. **Cncl. DiLucia** noted he would agree with that. The Mayor then noted there was discussion when he first came on board as Mayor regarding the \$5,000.00 that came from Investors Bank in 2014 and he noted from an administration point that the township would put the other \$5,000.00 up, let's get this thing moving, we can't be sitting here delaying a huge program for this town over that amount, let's take it out of the operational cost and move this thing forward. **Cncl. DiLucia** noted he had no problem with moving this forward but I want this on the record, because I remember the night the EDC was in attendance at a work session and I asked them for a financial report and they wouldn't give it to me, they told me to come to a meeting, he didn't press the issue at that time. He added for two years in a row they received \$20,000.00 and I asked them where the cards were because we voted on this. Everyone was enthused about this over two years ago and they haven't done a dam thing in over two years in trying to get this program going. I don't mind spending \$5,000.00 but I want it noted that they did not do their job. They can get angry at that but they did not do what they were supposed to.

Cncl. Pres., McIlvaine spoke to this on behalf of the EDC and advised that as the liaison they pushed me several times to get these cards going and the issue was the township did not have the funds to hire somebody. **Cncl. DiLucia** then stressed, they didn't go out and try to get a sponsor. **Mayor Teefy** added they had no one to administer the program so we had to have both come together. **Cncl. Pres., McIlvaine** again stressed they were very aggressive with me on trying to get this program going and the only hold up was we didn't have the funds to hire someone to oversee it. **Cncl. DiLucia** again stressed he was speaking about someone to sponsor the cards, for two years they (*EDC*) have not gone out to speak with anyone about sponsoring these cards. **Cncl. Miller** advised they were under the impression we were doing the other \$5,000.00, that is why I said previously this may have been discussed at one point in time. **Cncl. DiLucia** added that he remembers saying that before we can do anything we have to make sure that we rescind the fact that we said to the taxpayers, not one dollar of tax money will be spent on this program. In fact, we went in print with this and we talked to people about that. Now, again I don't

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have a problem and I don't want to slow this down, I just want it noted that I thought they should have been more aggressive in doing this. **Cncl. Marino** then added he would be touching base with EDC to see where they are at with the second sponsor. They will have to find some kind of timeline on this because we have to decide if the town is going to be entertaining that \$5,000.00. The **Mayor** indicated he didn't want to wait for them. You guys tell me you want to spend \$5,000.00 or not because if we wait for them that's another month waiting for something. **Cncl. Marino** advised they had a meeting tonight and the last they told him was that they were going to get that second sponsor. I would like to give them the benefit of the doubt. **Cncl. DiLucia** advised that as the liaison Cncl. Marino should go to them and ask them if they can, if they say no then we should be on the record tonight of saying we will put the \$5,000.00 in. **Cncl. Marino** then noted if they cannot do it then we should. There was discussion with several people speaking at once. **Cncl. Pres., McIlvaine** felt we should give the Mayor permission tonight, if they need the cash, give them the cash. If they (*EDC*) can get us a second sponsor, great but at least we are moving forward. **Cncl. Marino** then noted we still need to figure out if monies will be coming out their budget, with all the signage to be placed around town there will be expenditures and he was not sure where they are with their budget.

Cncl. Miller made a motion to authorize the EDC to spend the \$5,000.00 if they cannot find a sponsor. The motion was seconded by **Cncl. Marino** and unanimously approved by the members of council.

Forest Hills - Gas Lamps

Cncl. Heffner spoke on several questions posed with regard to the gas lamps in the Forest Hills development. He displayed a model of (*mantel, sock, etc.*) what was currently in place, explaining how to control the flow of gas going in and out of the lamps. There was a question as to spark ignition and he noted you cannot put spark ignition on a gas lamp that has a sock or a mantel. He spoke of an alternative which is another model that does not have mantels and can have spark ignition. The problem being they are unable to retrofit these to what is currently in place, adding you would need electric run to every single pole (*110*) and a transformer to cut it down to 24 volt. **Cncl. Heffner** noted, in speaking with the gas company, they questioned the type of quote the township was asking for. One being, to change them all over so that they are spark ignition and if that is the case they can't give a quote that would be electric and that is not their field of expertise. They would like to sit down and have a discussion about it but we need to know what type of proposal we would like. **Cncl. Heffner** noted he brought this forward strictly to inform council on what type of options there may be so that we can decide on what type of quote we would like them to do. **Cncl. DiLucia** spoke on the sock device that was presented as being the cheapest one you could buy. This is one of the reasons why these things must be repaired so frequently. If there was a sock that cost a bit more it would probably cut down on the repair time. **Cncl. Heffner** noted, at the end of the day I am the expert on this because I am the only one that works on them. We tried the more expensive socks, the hard mantels and they are about 4x the cost. Compared to \$5.00-\$6.00 per

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B.) **MATTERS FOR DISCUSSION** (*cont'd*)

light you are looking at right around \$18.00 per light, you would get about another month or two out of them. Cost wise putting the more expensive ones in there, it is just not done because they still burn out due to wind, or kids hitting them, etc. So, you don't save a whole lot by going to the better mantel because it is costing you approximately 4x as much money. He then spoke on the labor costs. **Cncl. Miller** then noted that basically it is either a choice of keeping them or getting rid of them. **Cncl. Heffner** stressed, that was not what he was there for, there were some questions asked and I figured I would bring this in and explain it to everyone. **Cncl. DiLucia** questioned if the supply was open to any supply company or is it exclusive to the gas company. **Cncl. Heffner** advised you can buy your gas through any marketing company. At the end of the day then you would be receiving one bill but broken down into two (2) sections. **Cncl. DiLucia** noted if the therms are cheaper it will lower the total bill. **Cncl. Heffner** noted it will lower the total bill, the problem you have is you won't save that much as there is not a big mark up as gas companies are only allowed to make 4%, there is not a crazy amount to be saved. **Cncl. DiLucia** noted one way you could save money would be to buy from a supplier as it is always cheaper to buy from a supplier. **Cncl. Marino** questioned if this was a constant, revolving type of thing. **Cncl. Heffner** advised we are out there two (2) days a month and we probably average somewhere in the neighborhood of 175-250 mantels per month. Discussion continued.

Cncl. Pres., McIlvaine noted it was recently been brought to his attention the lamps on Main Street belong to the electric company. He questioned if it would be feasible to replace the gas lamps with those fancier lights with just regular electric. He felt the folks would still be happy as they would still have their ambiance. We wouldn't be burning gas and perhaps we could have the electric company come in there and work something out. Ultimately, yes this would cost more but you would be saving \$60,000.00 per year and \$600,000.00 over ten (10) years. **Cncl. Heffner** noted with street lights you are looking to run power off a pole, it's already there. If you would be putting electric street lights in the ground you are coming off every pole, it won't be cheap. **Cncl. Pres., McIlvaine** noted this would not be cheap but again \$600,000.00 over ten years is what we are going to spend right now with what we have. Actually, this figure is \$700,000.00 for ten years and that is obscene. We need to do something about this one way or another. To me, if we have to invest a little bit more to save than I think it is an option worth looking into. I would ask the Chairman of the Gas Lamp Committee to look into that. **The Mayor** questioned if we could go solar. **Cncl. Miller** noted it is dark in there with all the trees, they didn't think that would work. **Cncl. Pres., McIlvaine** added they are beautiful lamps and just as bright as a regular street light and if we have to do an additional investment (*inaudible*). **Kathryn Cornforth, ARH** suggested that if you go the route of trying to get it quoted (*nicer lamps*) it would be worth your while to get extra lamps because typically those are custom made, this way you would be prepared if any issues should arise (*maintenance, vandalism, etc.*).

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Cncl. Miller noted they are not going to charge us to remove the lamps, correct? **Cncl. Heffner** advised the gas company does not want to remove the lamps, they are only doing this as a courtesy to the township. Whatever the town wants, that is what they will do. Currently, right now there are 174 lamps with six (6) being removed because they were run over by a car. The lighting plan has already been laid out by ARH and ACE, it will take sixty (60) lamps on the telephone poles to get the coverage that meets the standard. That is documented with paperwork. **Cncl. Miller** then noted the next step in the process is to get a quote for what it will cost to run electric to those lamps and the lamps itself.

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. With no one wishing to come forward **Cncl. Miller** made a motion to close the public portion. The motion was seconded by **Cncl. Garbowski** and unanimously approved by the members of council.

D.) NEW BUSINESS – None

E.) OLD BUSINESS

Cncl. Garbowski advised he met with the Historical Society and discussed the Hall Street School and they would like to go with the cedar shakes for the roof. He also met with an individual who is a member of the Roofers' Union and he committed to doing the work on the roof, free of charge, all we need to do is provide the materials. **Cncl. Garbowski** felt there would probably be a need for some volunteers.

Mayor Teefy advised what we are looking to do is paint that building as well. He was questioning if we could use the emergency contractor to do this work because both the Hall Street School and the Ireland Hofer House are in need of painting. **Mr. Heydel** questioned the use of the emergency contractor because that is not necessarily in the scope of that business. **Director of Community Development/Code Enforcement, Rosemary Flaherty** advised that painting and any kind of painting work or anything like that is part of the contract. **Mr. Heydel** added but we may have other buildings that need painted as well. **Mrs. Flaherty** advised you also have the opportunity of using the correction officers and from what she understands Jackie Wallace has approached the township several times about the fact of having them do it, they want to do it, and that offer has been out there but we haven't accepted. **Deputy Chief, Stephen Farrell** advised that they are unavailable until who knows when, explaining that this is due to bail reform. This is unfortunate as they do good work. **Mayor Teefy** spoke of some work/repairs that remains to be done on the Hall Street School and wasn't sure where Buildings & Grounds were with it and he wasn't

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E.) OLD BUSINESS (cont'd)

sure if those contractors could be used for this purpose. Mrs. Flaherty noted contractors would be best for that and for the mayor to let her know if he wanted her to do it. There was then discussion on the use of that money for the emergency contractors.

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. DiLucia posed a question with regard to Resolution R:121-2017 (*Resolution Authorizing the CFO to Pay the Sum of \$27,517.21 to the Third Party Lienholder of Tax Sale Certificate No. 14-00077 for Block 4601, Lot 3*). Solicitor Fiore advised they didn't include the township as a creditor on the bankruptcy so the tax lien was sold to a third party lienholder and we have to pay that money back. He went on to explain what transpired and how the debtor will be paying this back to the township over time, we will recoup this from the debtor. They would like to enter into a taxpayer agreement to pay that back within the next year. They will be paying on their current taxes, then they will pay all that money to the township.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED - None

I.) ADJOURNMENT

With nothing further for discussion, Cncl. Miller made a motion to adjourn the Council Work Session of April 10, 2017. The motion was seconded by Cncl. Garbowski 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 April 10, 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 Am
Approved as corrected _____

Date 4/24/17
Date _____