

**MINUTES
WORK SESSION MEETING
TOWNSHIP OF MONROE
JULY 23, 2018**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Rich DiLucia** 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.: 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. McIlvaine** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

| | | |
|---|---------|---------|
| Cncl. Marvin Dilks | | Excused |
| Cncl. Ronald Garbowski | Present | |
| Cncl. Bob Heffner | | Excused |
| Cncl. Joe Marino | Present | |
| Cncl. Bart McIlvaine | Present | |
| Cncl. Cody Miller | Present | |
| Cncl. Pres., Rich DiLucia | Present | |
| | | |
| Mayor, Daniel P. Teefy | | Excused |
| Business Admin., Kevin Heydel | Present | |
| Solicitor, Louis Cappelli | Present | |
| Engineer, Ray Jordan, ARH | Present | |
| Dir. of Finance, Karyn Paccione | Present | |
| Dir. of Public Safety, Jim Smart | Present | |
| Dir. of Public Works, Mike Calvello | Present | |
| Dir. of Comm. Dev/Code Enf. Rosemary Flaherty | | Excused |
| Dir. of Parks & Rec, Jim Bonder | Present | |
| Deputy Mayor, Andy Potopchuk | | Excused |
| Chief of Police, John McKeown | | Excused |
| Municipal Clerk, Susan McCormick | Present | |

B.) MATTERS FOR DISCUSSION

• Block 7601, Lot 21 – Block 7502, Lot 24 – Slimm Application

Ted Costa, Esquire spoke with regard to the above referenced adding that he was the attorney for Bonnie and Steve Slimm who were also present. He explained he was in attendance to ask for consideration with respect to a 36 acre parcel which the Slimm's obtained a Certificate of Filing for from the Pinelands in 2010, to build one (1) house and

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B.) MATTERS FOR DISCUSSION (cont'd)

one (1) garage. At some point in time in 2012 two (2) months before they brought the property this township approved/adopted a new ordinance creating a new forty (40) acre zone (*FD 40*). Building permits were issued to my clients and they actually did construct a nice garage. They were about to construct the house at which time the permits were pulled. We have been in limbo status ever since and the Slimm's have spent hundreds of thousands of dollars acquiring the property and constructing the garage and yet they are not allowed to build their dream house and become civic minded citizens of this fair town which they would like very much to do. Mr. Costa again noted he was asking for relief because I realize I can go before your zoning board and ask for a variance but the Pinelands Commission said that was not good enough. They won't give us relief if we just get a variance, they said we need a re-zoning of that particular 36 acre parcel. **Solicitor Cappelli** then noted, so you are asking to change the zoning for that 36 acres. Mr. Costa responded for that particular zone, they can only build one house anyway as that is what we had permission from the Pinelands to build and with already putting the garage up it is a thin envelope of building ability. He advised there is case law on the topic and your attorney will go over that with you. I do not want to start litigation and everything but I am just asking for voluntary relief.

Cncl. McIlvaine questioned, why were the permits pulled? **Mr. Costa** noted as nice as the people in this town are they did not want to pull them but apparently they got word from the Pinelands indicating, all of a sudden, since you changed your zoning to FD 40 that the construction of the house in the 36 acre zone could not be done even though the permits were already issued for the garage and the garage had been completed. It was kind of ridiculous if you ask me. **Cncl. McIlvaine** then questioned was the zoning this way when your clients brought the property? **Mr. Costa** responded yes, two months before their purchase the zoning changed and because of the change to the Master Plan your town did not give notice to the owner, I was the owner at the time and I received no certified mail notice, the notice was placed in the newspaper apparently. Unfortunately, I do not live in the area so I did not see the changes. Anyway, my clients did nevertheless go to the township construction office to confirm that they needed the authorization to continue and build their dream house before they purchased and, in fact, they were given assurances and in fact after they brought it they got a permit to build Phase I of the project, then Phase II was what was denied. **Cncl. McIlvaine** noted neither you as the original owner of the property was notified, nor your clients as the new owners of the property? Even when they went to the construction office to obtain permits to build this house (*inaudible*). **Solicitor Cappelli** advised that Mr. Costa had recently sent him some case law to review along with some facts. I would like to talk with some folks in town first before I give you (*council*) your options as ultimately it is going to be your decision. **Mr. Costa** then noted that right next to this property are ¼ acre lots with houses on them, several in fact, on 4th Avenue. It's not like one house on 36 acres is violating the entire zoning scheme. **Cncl. Pres., DiLucia** questioned the size of the house. **Mr. Slimm** advised the size is approximately 2,000 sq. ft. adding they already got the approvals from your engineers. He added we removed all the trees, it is now a one-acre open, empty lot with a garage. **Solicitor Cappelli** questioned **Mr. Costa** if he had copied him on some information regarding Pinelands possibly changing their decision if our zoning had changed.

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B.) MATTERS FOR DISCUSSION (cont'd)

Mr. Costa advised he spoke with Fred Seeber from the Pinelands Commission and he told me a number of times that a variance is not good enough. However, you are welcome to speak with him yourself. **Mr. Costa** advised when he owned the property it took him years to get approval from the Pinelands Commission to build one, lousy house. He then added that he hoped that council members could do something fair and right and help these people (*Slimm*). **Cncl. Pres., DiLucia** then noted that council would wait on the Solicitor's review of the matter.

• **Amberleigh – Takeover Agreement**

Solicitor Cappelli advised there was an issue here involving some original landscaping when the subdivision was approved by your land use board. The developer ultimately did not do a lot of the landscaping that was required adding the township went in and actually had the bond company pay to get a lot of the work completed. In that process there was a release/agreement signed whereby what was performed at that point in regards to the landscaping, was the landscaping. Basically, at that point, there was an agreement there would be no additional landscape work performed. What has happened since then, I believe, some of the plantings died and now it is becoming an issue for some of the residents especially the landscape buffer area/issue. **Mr. Cappelli** advised both he and the engineers have reviewed all the documentation and if there is going to be planting done by the township we would have to get permission from the Home Owners Association for the installation. He explained there is no remedy at this point against the HOA, no way to force them to install additional plantings. **Cncl. Pres., DiLucia** noted in reviewing the documents when we made the agreement to give them the responsibility, the area in question was not included, so there is no obligation on their part. Are you saying there is an obligation on our part? **Solicitor Cappelli** noted, I am not saying there is but there was a plan approved that is not there, that has not been implemented. **Cncl. Pres., DiLucia** questioned what our engineers determined. **Mr. Cappelli** noted he received something on it just today and if you are considering doing something you should take a look at what has been recommended. **Mr. Cappelli** then questioned if there was a drainage issue that would affect the planting. **Business Administrator, Kevin Heydel** noted there was a drainage issue on the resident's property (*1220 Sassafras*) whereby when they did the grading what happened was the resident installed a fence and it went down right to the dirt, so water from the property could not get into the swale in order for it to drain properly. When trees were planted they all got root rot so the resident could not plant trees on her property. There were other plants like small pine trees and smaller holly trees, nothing seems to have taken there and probably there are stumps in the ground. He then noted there is one (1) property involved. **Cncl. Pres., DiLucia** questioned the cost on this one property. **Ray Jordan, ARH** noted the cost would be \$7,800.00 which covers 29 trees. **Mr. Heydel** explained the 29 trees would be for the whole length and he did not feel the whole length was needed because no one else is complaining. The house next door to this property gets coverage from their own trees, they are not asking for trees it is only the one resident that is requesting this. **Mr. Heydel** indicated he would not plant 29 trees across there, I would just go with the one property. **Joanne Mecholasky, 1220 Sassafras** noted there was to be a double row of trees. **Mr. Heydel** noted that she was the only one affected

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B.) MATTERS FOR DISCUSSION (cont'd)

and Mrs. Mecholasky agreed with this. Mrs. Mecholasky advised the township came in last year and actually re-graded the back. Discussion continued. **Cncl. Pres., DiLucia** noted with only one home being affected we would be talking about an approximate cost in the area of \$3,500.00 - \$3,900.00. It was the consensus of the council members in attendance to approve the planting of the trees. **Cncl. Pres., DiLucia** then noted we should get this done as soon as possible as it has been an issue for quite some time. Mr. Heydel advised we had a developer give us funds in lieu of planting trees, he felt we actually have a trust account where we have the funds available. **Cncl. Marino** questioned who would be doing the actual landscaping work, would we be doing this in-house. **Mr. Heydel** noted he preferred we use a professional landscaper because we want to make sure that we get well developed, mature trees. There was discussion on the planting time and it was decided it should take place in the fall (*September/October*).

• **Walmart – Landscaping**

Engineer, Ray Jordan explained there are still issues with the landscaping and we are not prepared to sign off on this. Much of the problem is dealing with the planting in this kind of weather. We are close to fall planting season and we will work with the contractor on this.

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.

Linda Fuscia – 1184 N. Tuckahoe Road approached council members with her concerns with Resolution **R:142-2018 Resolution Of The Township Council Of The Township Of Monroe Amending Resolution R:189-2017 Authorizing The Monroe Township Planning Board To Conduct a Preliminary Investigation And Convene Public Hearings To Determine Whether Certain Areas On The Official Tax Map Of The Township Of Monroe Qualify As An Area In Need Of Redevelopment (Route 322 & Tuckahoe Road)** scheduled for approval on the Regular Council Meeting agenda. She explained she had received a “Public Notice” notice from zoning that a public hearing was to take place on July 26, 2018 on a Condemnation Redevelopment Area.

Cncl. Miller, Chairman of the Redevelopment Committee explained the township right now is doing a study in that area to determine if it is an area in need of redevelopment. This is based on the fact there are a lot of underutilized parcels, vacant and abandoned properties along with commercial in that area. What council is trying to do is control that growth in the area. He explained “*eminent domain*” in the condemnation route is something that is used as a *carrot* and continued to give an example. Let’s say there is a vacant property where we couldn’t acquire it by other means to try and develop it or try to clean up the area. We would have the ability to give them fair market value and it would have to be in the best interest of public good. Our goal with this area is to not take people’s homes away from them. He noted that Camp Sun ‘n Fun is actually included in that area and they reached out to me with similar concerns on “*eminent domain*” being used in that language (*public notice*).

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C.) PUBLIC PORTION (cont'd)

Again, "*eminent domain*" in the condemnation route is something that we use and most municipalities do this. As an example, when Glassboro built Rowan Boulevard they did a redevelopment designation with the option to have condemnation which is utilizing "*eminent domain*" and they did not use it once. The only reason we are trying to do this is because of the four corners that are commercial and the blocks and lots are situated in such a manner where we don't want to get into a situation where we are trying to develop something or trying to improve the intersection. We are not trying to take people's homes away from them it's just that we can't selectively choose which blocks and lots we are going to exclude from the plan. **Cncl. Miller** continued and explained that we just reviewed part of the study where the areas were and none of the homes that are in that area are of any interest, we don't even have a plan or a developer that is interested in developing that intersection. **Ms. Fuscia** noted her surprise that the area was taken that far down to where her home was located. She understood the corner properties and the purpose for that but questioned why come all the way down to Scotland Run. **Cncl. Miller** noted there were a few vacant and abandoned properties in that area so that is kind of why we included that area. Again, our goal is to not sit there and take people's homes away from them, it's just the way some of the blocks and lots are situated if we ever wanted to try to control the growth of commercial development at that intersection we would have no way to do that without having that, what I call the big stick approach. **Cncl. Miller** then noted we would have to essentially prove that if we were ever in a situation where we would have to use that, we would have to prove that it is in the best interest of the public betterment. So, us going in saying we are going to take someone's residential home away from them because we feel it is in the betterment of the township we would have to prove why it is done in that manner. **Solicitor Cappelli** advised the way the law is written it must be all encompassing like that of the whole area, it doesn't mean, as you are hearing tonight, that there is any intent by the governing body to take residential properties. The whole focus of the law itself is to help remedy the properties that are abandoned and underutilized. A home in which you are living and is kept up to standards is not something (*undiscernible*). **Ms. Fuscia** then noted the concern she had was because it was a big chunk of property from her side of Tuckahoe Road and on the corners it was smaller. **Mr. Cappelli** explained if you go through each property within the zone you will see why. **Cncl. Miller** noted when there is an area that has been determined as an area in need of redevelopment we must fit this into a certain criteria that we have to prove. In order to make that area more feasible for redevelopment we must include certain block and lots that fit into that to basically allow it to hold up to say that yes, this is an area in need of redevelopment. **Cncl. Pres., DiLucia** spoke on the redevelopment area in terms of "*eminent domain*" and that we would not be nor do we want to invoke that in the case of a house. **Cncl. Miller** noted at the end of the day under redevelopment *Council* is the ultimate authority. If we were ever in a situation like that the residents (*who elected Council*) would come to Council and tell us we don't want this and it is not what you should be doing. He felt that was a safeguard also. I can tell you right now that anyone we are dealing with on this matter would not would be interested in taking a residential home away.

Ms. Fuscia noted there are two (2) lots in the back of her property that belong to the township and they are deadlocked. It was noted there were some landlocked pieces. **Ms. Fuscia** noted this is where her concern was because basically those landlocked pieces

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C.) PUBLIC PORTION (cont'd)

are right behind her property. **Cncl. Miller** then noted we don't have any plans for development in the specific area that Ms. Fuscia was concerned with. **Solicitor Cappelli** advised the next step in the process, if it is designated as a redevelopment area, is a redevelopment plan will be prepared and be presented to the public and at that time you would see exactly what the plan is and you can be reassured it has nothing to do with your property.

Jim Solomon, Chief - Cecil Fire Company advised council that a new shed has been delivered to the station and the old, decrepit shed was hauled away. He thanked council and Mr. Heydel on behalf of the members for helping with making that happen.

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

D.) NEW BUSINESS - None

E.) OLD BUSINESS

Cncl. Garbowski advised previously there was discussion regarding the purchase of tablets for both the Planning and Zoning Board members and he questioned what, if anything, was being done on this. **Business Administrator, Kevin Heydel** noted that no one has pursued this but you are looking at approximately 20 board members at a cost of approximately \$300-\$400 each. There was much discussion on several different options such as: distributing an iPad that could be taken to meetings, and the issuance of township email addresses for board members. **Cncl. Miller** spoke with regard to having a drop box available for review of the documents explaining how the college utilized this at board meetings. There also was talk on issuing air cards and the costs involved with that. **Cncl. Garbowski** noted we have to come up with something because we are spending way too much money on photocopying all the various documents, there must be a better way. As many times there are documents missing from the packets, I have attended meetings where I hadn't been given the proper documents because when they were photocopied they missed copying pages. If it all was in a drop box or iCloud that would be great. Discussion continued. **Cncl. Marino** then questioned just how all the board members were receiving their meeting packets, are they being mailed? **Dan Kozak, Zoning Board** advised the packets are being delivered, usually one of the construction guys stay overtime and drops then off at each member's house. Mr. Kozak then noted that getting iPads is good idea because oftentimes changes are made and the information sometimes must be printed again. At this time several people were speaking at once. **Cncl. Marino** felt members should be issued an iPad due to the changes that are made to the agenda after the packets have been distributed, things such as addendums, deletions, attorney recommendations, letters, etc.

Nick Mercado, Zoning Board advised the reason for this is because we look at a lot of plans and there is a need to go out several days before the meeting to familiarize

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E.) OLD BUSINESS (cont'd)

yourself with the documents and the applications. Getting that information the day of does not help you when you are working full time. We use to get our packages on Thursday or Friday before the meeting and then we would have the weekend to review the plans or go out to the site, you can't walk the site but you can make some visual interpretation. When you look at a set of plans they can get cumbersome and you need those documents when you are looking at various sites so getting it the day of the meeting doesn't help. Mr. Heydel questioned if I was to set you up with a township email account where you can sign on from home where you could review the documents, would that be sufficient? Or do I have to issue you your own iPad so that you can take the iPad out to the site which will then require me to also give you an air card which increases our costs. **Cncl. Marino** explained you could use the hot spot on your phone. Mr. Mercado noted we tried to petition this as a source to obviously review these applications precisely and promptly. Mr. Heydel posed a question on just what is suggested that we do. Mr. Mercado noted first and foremost I do not want my personal email involved. Mr. Heydel indicated he was only speaking on township issued emails. Mr. Mercado noted I am going to need drawings that come with the applications to go out and take a look at the site. Mr. Heydel noted that basically he is being requested to issue your own iPad with your own air card. Mr. Mercado noted my intent is to use it for township purposes, I have several iPads therefore I do not need one for my own personal use but I need it for what you basically hired me to do. **Cncl. Pres., DiLucia** advised Mr. Heydel to find out how many people are involved and what it would cost to supply the iPads and come back to council at which time we make a determination.

Tom Swartz – 514 N. Main Street approached council to explain that he works for a civil engineering firm and they submit documents to the various boards. Right now everything is submitted via paper and he felt council would need to change the ordinances with respect to how documents are to be submitted (*scanned documents*). **Cncl. Pres., DiLucia** again stressed the first thing to do is to take a look at the costs and what is involved then a decision can be made, there is no sense in reviewing the ordinance until it is determined if we are going to purchase the iPads.

Cncl. McIlvaine reported on the parking issue in the Federal Hill development. Prior to the meeting he spoke with both Cncl. Marino and Solicitor Cappelli and what the residents would like to see is or least agreed with was "*No Parking*" from September 1st thru June 30th between the hours of 10:00am – 1:00pm. Something to that effect, that would keep the students from taking up parking on the street, racing on the street and causing issues. **Cncl. McIlvaine** was hopeful that if everyone agrees this could be done before the opening of school, if not perhaps at the September 10th meeting. He explained he met personally with the residents of Federal Hill and that is what everyone agreed to do or something to that effect. **Solicitor Cappelli** noted if you prohibit parking on the street between those hours then the residents would be unable to park also. If there would be permit parking then a permit would be issued to the residents. **Cncl. McIlvaine** noted he would have to go back to the residents and make sure they would be okay with that. He was sure they may be provided there would be no fee. **Solicitor Cappelli** noted whatever action council may take would have to be done via ordinance as well as receiving input from the Chief of Police.

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E.) OLD BUSINESS (cont'd)

Cncl. Pres., DiLucia requested that **Cncl. McIlvaine** contact the Chief of Police to meet with him on this. **Cncl. McIlvaine** requested clarification on what specifically we are doing, permit parking as opposed to no parking? Adding, that the residents believed that during those hours of 10:00am – 1:00pm the majority of them would be at work so it wouldn't be that big of an issue. Having said this, let me take this back to see what works best for them. There was continued discussion on the effects each option would have on the residents. **Cncl. McIlvaine** advised he would contact the HOA on this. This matter is to be scheduled for discussion at the Ordinance Committee Meeting of August 1, 2018.

Cncl. Marino advised that Team Monroe has an abundance of bikes and they are in support of donating said bikes to charitable organizations. They offered to do something in conjunction with the township as they have the wherewithal and the means to move these bikes and deliver/donate to various charitable organizations. It was the consensus of the council members in attendance to have the solicitor draft a resolution for approval at the August 27th regular council meeting.

F.) COMMITTEE REPORTS

Cncl. Miller advised the committee assigned with regard to the review of the tot lots as well as the rec center met with Jim Bonder to discuss various aspects of what was needed, etc. adding the meetings were both positive. We will be going to take a look at all the different playgrounds to see if we can come up with an amicable compromise to see which ones can be utilized, which ones cannot. The committee along with the Business Administrator and Township Engineer along with the budget committee sat down to discuss the costs associated with a new rec center. **Cncl. Miller** will keep council updated on this matter.

Cncl. Marino advised that earlier this evening he met the Solicitor and members of the committee to review the RFI's submitted for the Municipal Wide Neutral Host Wireless/Small Cell and/or Distributed Antenna System. The submissions were from Crown Castle and Telamon. A decision was made to move forward with Crown Castle based on experience adding that one company has roughly 1600 small cells out around the state of Indiana, the other has about 40,000. Their experience, reputation and resources are why he recommended Crown Castle to, at least, come in and meet with us and start the next process which would entail contract negotiations. The committee along with the Solicitor and the Business Administrator will be meeting to review a contract to present to Council. **Cncl. Marino** explained I would like to bring them back to the table now that the committee has made their recommendation and see what we can negotiate as far as a contract. This will be a benefit to the township, technology wise and may possibly generate some revenue.

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Marino questioned Resolution **R:141-2018** *Resolution Of The Township Council Of The Township Of Monroe Authorizing The Execution Of A Shared Services Agreement Between The*

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

Borough Of Glassboro And Township Of Monroe To Provide New Jersey Multiple Housing Inspection Services In Monroe Township, Gloucester County. His concern had to do with the one year contract and the automatic renewal. **Mr. Heydel** explained actually it is not even a one year contract, it is until whenever, we could do it for two months, give a 60 day notice. We are not obligated all we do is give 60 day notice. **Cncl. Pres., DiLucia** noted the contract period is one (1) year but the notification period is 60 days.

Cncl. McIlvaine questioned Resolution **R:140-2018** *Resolution Authorizing An Extension Of The Period Of Time For Payment Of Real Estate Taxes For The Third Quarter Of 2018 For The Township Of Monroe.* Why are we extending the time for payment of real estate taxes. **Mr. Heydel** explained, the bills are due on August 1st however they are just being printed today. **Director of Finance, Karyn Paccione** explained you must have 25 days from when the taxes are out in the mail to determine a due date, this is why the extension is needed.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED

Cncl. McIlvaine questioned Ordinance **O:20-2018** *An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 226 Entitled "Parks And Playgrounds"* **Cncl. McIlvaine** noted his concerns on this as we are getting ready to spend quite a sufficient amount of money to build a dog park. He questioned just why we would want to let dogs come into all our other parks. **Cncl. Pres., DiLucia** noted, as it was presented to council, this is happening already and there is no control over what they do so this would serve as an enforcement mechanism. If you would bar them from the parks it is an altogether different issue. **Cncl. McIlvaine** questioned, they are barred in the original ordinance, correct? **Director of Parks & Rec, Jim Bonder** responded presently they were barred up until recently and that was the problem as we didn't have a leg to stand on because people were bringing their dogs out all the time. He wasn't sure where we stood on this, the rule is that they are not allowed to bring dogs into the parks. **Cncl. McIlvaine** noted then what we need is enforcement, adding if he was not mistaken anybody can write and sign a complaint against a citizen. Therefore, you don't need to be a police officer to enforce that, if a township employee or a resident observes someone violating one of our ordinances or one of our laws they can sign a complaint against that person. So, if you (*Bonder*) or your employees are saying this is happening you can enforce it, if you wish to. They should not be getting away with it. We are going to invest quite a bit of money in making a dog park specifically for these animals and now we are just going to let them go and do their business all over the rest of our parks. He felt it was easier to restrict them from coming to our parks that way if you catch them, even if they don't do anything wrong, we can have them removed. **Mr. Bonder** noted he felt it would be tough to get people to change, many people are used to walking their dogs all over the park and to be restricted in a one acre parcel he felt we may run into a challenge. **Cncl. McIlvaine** then noted my point would be why then, if we are going to allow them in all the parks, then we should remove that portion from our Owens expansion. He noted he understood what **Mr. Bonder** was saying however he elaborated on when we restricted parking along Main Street and how people had been parking during overnight hours forever, and the question arose on just how we were going

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H.) QUESTIONS REGARDING ORDINANCES SCHEDULED (cont'd)

to stop that. It simply took a few warnings and tickets to get the word out and people stopped parking overnight. Cncl. McIlvaine felt that if we enforce this the word will spread just like anything else, just like now people know that they can do it, then they will know they can't do it (*walk dogs in all the parks*). Cncl. Miller noted he saw the concern but he felt that in general and with polling council we agreed that a lot of parks in general and a lot in the area are allowing this. From his perspective, it wasn't that we can't enforce it, it's that a lot of parks actually already allow this to occur. We would be keeping up with the times and furthermore in the ordinance it talks about picking up after them (*pets*) and we really didn't have that language before. It also talks about having the dogs on a leash and in my personal opinion I think the general consensus was that council was in favor of allowing this. Cncl. McIlvaine again noted he understood what was being said however our residents are not going into other towns parks and playing soccer or lacrosse or other games and having to worry about getting dog feces on their belongings or on themselves. He felt it was much easier to tell someone that dogs are not allowed in the parks. He added he receives a lot of complaints from people who go to these games and the problems with dog feces all over our grounds. We are building them a park, let them go to the dog park and enforce the ordinances that we have. If we weren't investing a ton of money into a dog park maybe I could go for this (*ordinance*) but we are spending a lot of money specifically for a dog park. He felt this was a mistake. Cncl. Marino expressed his concerns, one being, most of the people walking their dogs are there watching their kids and he felt the dog park, in some respects, is for people who are not going to those games, etc. He felt there are two different groups who are walking their dogs at the parks. The other concern was pertaining to service dogs and we can't restrict them. He noted when he reviewed the ordinance he felt this is already happening so let's enforce it and put some teeth in it. He added this will be very hard to monitor especially around the hours of 6:00PM-7:00PM, when most activities are going on. I have seen how many people are congregated there. Discussion continued. Cncl. McIlvaine noted he did not expect the residents to enforce this, I expect our employees to enforce it. I am just one person and I see how Duffy Park is used as a dog park. Mr. Bonder added there are three (3) sets of bags at that facility and it has gotten significantly better in the last four (4) months since we put out signage and posted it on the website. At Owens Park, during the day, there are probably 30-40 dogs out there every single day. He noted he was never an advocate for a dog park, we have two great parks, Owens and Duffy and people absolutely love coming out there with their dogs. The problem was our previous ordinance said no dogs were allowed and that really tied our hands because what do we do as employees? Do we tell everyone they have to leave? Really what we need is direction one way or another. Mr. Bonder felt we may run into a lot of people who come out to watch their kids play ballgames, they walk their dogs on a leash. If we didn't let them at a park, other than the dog park, what do we do? Cncl. Pres., DiLucia advised, let's look at where we are, four years ago we talked about a dog park and we were able to get a grant for some \$780,000 half of that being free money, the other half interest free. Once the dog park is up and running there should not be a problem at Owens Park because that is where the dog park is going to be. You are going to have a situation at Duffy Park, where they take their dog over to watch a game. What we did, I thought, was something smart in putting in a law that says you must maintain control of your dog. No matter how big your dog is you must have them on a leash (*no longer than six feet in length*)

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and they must be harnessed and under control and you are required to pick up after your animal. This is going to be enforced, which we never had before.

Cncl. Pres., DiLucia noted that is what he felt was the whole spirit of this amendment to the ordinance. This would give greater control to Jim (*Bonder*) as he made a compelling argument and I agree with what he said. He felt this amendment gives some control and if it doesn't work we can always re-visit it. Once the dog park is up and running he felt this problem is really going to be minimized and most people will take advantage of the dog park. The difference with the dog park is it will have a fence and the dogs will be able to run. It will be segregated into sections for small dogs and larger breeds. He noted he was in support of this amendment as he felt it is what we need.

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Garbowski** made a motion to adjourn the Council Work Session of July 23, 2018. The motion was seconded by **Cncl. McIlvaine** and was unanimously approved by all members of Council in attendance.

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 July 23, 2018 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 8/27/18
Date _____