

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
DECEMBER 27, 2011**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Marvin G. Dilks, Jr.** 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. William Sebastian led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski		Excused
Cncl. William Sebastian	Present	
Cncl. Daniel Teefy	Present	
Cncl. Pres., Marvin G. Dilks, Jr.	Present	
Mayor, Michael Gabbianelli	Present	
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Eng., Dave Cella, ARH	Present	
Dir. of Finance, Jeff Coles		Excused
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz		Excused
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

Williamstown Fire Company – Chief Mike Jacobi approached council indicating that back in August of this year he met to discuss the fire apparatus needs of the fire company. In September, he then met with the public safety committee and submitted an entire pamphlet including information on fire apparatus needs, safety concerns, purchasing options, etc. He noted it was his understanding that a recommendation was made by the committee to purchase the apparatus. He questioned what the next step would entail and the timeline involved to move forward with the purchase.

Cncl. William Sebastian then noted that a recommendation did come from the committee; however, the full council has not approved it. Chief Jacobi questioned how this

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process can be moved forward, with it having to go out to bid as well as meeting all the required legal aspects. **Cncl. William Sebastian** responded he could not speak as to the timeframe involved, as the first step is that the full council has to either agree or disagree with the recommendation from the public safety committee. If that is done, then it must move through the finance and budget committees to see if there are monies to support it or if it would be purchased via a capital improvement bond through administration.

Cncl. Frank Caligiuri recommended a demographic study be performed and that we involve Bob Ferguson in the process as there is a limited amount of money to be spent. He also felt that the township has not seen what will happen in that area of Cecil with Walmart projecting close to 120,00 shoppers which is close to 2 times the population of Citizen Bank Park and almost 4 times the population of Monroe Township. **Cncl. Caligiuri** noted he would hate to jump the gun without taking the future into consideration. He felt if council is going to decide on this matter, as a whole, then we should allocate some time during a council meeting and speak with everyone at the same time, unless there is a demographic study to support the fact that the population balance somehow is going to lean toward the northern part of town. He felt there would be a real demand for some apparatus in the Cecil area with the dense population in both Summerfields West and Friendly Village.

Cncl. William Sebastian agreed with having a demographic study as far as the population is concerned. However, when you are speaking in relation to big box stores, when that alarm goes off, everyone responds. When you are dealing with that type of volume, it is not an individual station that responds it is a core of stations. As far as the ambulance calls are concerned, they respond all day long as Cecil does not run during the day nor do the volunteers run during the day unless it is a second ambulance call. **Cncl. Caligiuri** noted it was his understanding that Cecil may be moving up to Monroe. **Cncl. Sebastian** indicated that was the recommendation of the Public Safety Committee but it is up to the Mayor, as this matter is moved through administration. He noted Bob Ferguson does not have a problem with the ambulance squad division coming from Cecil and moving into our area. In fact, he is trying to get it pushed through as soon as possible. **Cncl. Caligiuri** noted the township has a limited number of dollars to spend and how that is allocated depends on many different factors and Council must take those factors into consideration and make a decision on what everyone has to say. All the players should be heard and involved in the process with Council and he recommended they all be invited to attend a meeting with all members of council. **Cncl. Walter Bryson** felt the two oldest fire pumpers should be replaced first because if not we could end up with two trucks out of service. **Cncl. Caligiuri** expressed his concerns regarding response time getting to Friendly Village and Summerfields West once the Wal-Mart is open. **Fire Chief Mike Jacobi** noted he has a very good relationship with Bob Ferguson and he is aware that Williamstown Fire Company requested two pumpers. He explained Williamstown operates two fire stations that are the busiest in the County responding to over 700 calls a year and they take pride in getting two to three trucks out for every call. Williamstown does not have a rescue company and does not want one and if Bob Ferguson wants rescue that is up to him but that is a different service than what the fire engines offer. **Cncl. Caligiuri** noted with only a limited amount of money a decision must be made on how to divvy it

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B.) MATTERS FOR DISCUSSION (cont'd)

up to benefit as many people as possible. Mr. Jacobi spoke of giving the Public Safety Committee a five page packet justifying why the two pumpers are needed, how the pricing included a bare minimum truck and how the volunteers deserve the apparatus to perform their jobs. Cncl. Caligiuri agreed that the volunteers need the equipment to perform the job and he suggested that members from all the volunteer organizations be invited to a Council meeting so everyone has a chance to answer all questions so Council can make an intelligent decision. Cncl. Sebastian noted he has no problem with that but he thought the reason there were Council committees was to eliminate that process. As chairman to the Public Safety Committee he requested everyone attend the committee meeting. Bob Ferguson came with Cncl. Sebastian's recommendation in hand, voiced his opinion and discussed it. He explained the Public Safety Committee looked at it as a dollar and cents value of what we could afford and that was put forward in the recommendation. Cncl. Caligiuri requested that a meeting be scheduled will all players in the room to address this matter. **Cncl. Pres., Dilks** noted this is just a wrap-up meeting for 2011 and next year the next council president can schedule that. **Cncl. Sebastian** noted he just wanted to make a point that the two fire companies were replacing three trucks, not two. Mr. Jacobi noted he had all the information if any Council member wanted to see it and he extended an invitation to members of Council to visit the fire stations. He indicated he would be more than happy to sit with Council as well as Bob Ferguson to go over everything. Cncl. Sebastian noted he copied everything from the fire department for the Public Safety Committee and Mr. Heydel.

• **Fee Ordinance – Chapter 74 (Ordinance O:29-2011)**

Solicitor Fiore explained 74-49 deals with a new provision entitled "Administrative/Professional Fees" and the basis for the ordinance is a result of recent press regarding the Thursday review meetings that occur with the Administration. Mr. Fiore noted he discussed this with the BA, the CFO and the Auditor in order to come up with a process to properly establish the fee. He read the proposed language included in the ordinance and explained this will establish the fee of \$750.00 and the purpose for it. He explained the fee does not constitute the payment of professional fees as defined pursuant to N.J.S.A. 40:55-53.1. The ordinance is based upon newspapers articles because at this point in time that is his only source. The articles seem to intertwine or comingle the administrative fee that was charged at these meetings with the fees that are required to be posted under the Municipal Land Use Law. The articles indicated the individuals who posted the fee were not given an hourly bill, per the MLUA that requires a municipality to provide an accounting as to where the monies are utilized. The law also allows for an individual dissatisfied with that the billing to appeal to the Construction Board of Appeals. The MLUL deals with the Planning Board and Zoning Board process and this fee is clearly outside of the scope of that particular body of law. The proposed ordinance provides clarity as to what the purpose and intent was of those Thursday meetings, which is to provide a point person that would meet with the Mayor and other township professionals (solicitor, planner, township engineer, Planning Board solicitor, auditor, MMUA). This gives a person who wants to develop a property the opportunity to be pointed in the right direction. Every meeting that occurred was clearly proffered with a statement that "this is not an approval

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B.) MATTERS FOR DISCUSSION (cont'd)

process part of the Planning Board or Zoning Board, it is simply to try to streamline the process". In 99% of the time the process worked. Applebee's was in approximately a month ago and indicated they appreciated the process because they were pointed in the right direction. Mr. Fiore noted in his personal opinion this is a good, fair and invaluable process. He noted the purpose of the ordinance is to establish a fee schedule. He noted this was never picked up in the audit or by the CFO as being improper or illegal. The Ordinance Committee had requested he research what other towns do and he found that Washington and Deptford have an informal review process where people go before the Planning Board chairman or the Mayor. That is actually done through the MLUL and it is unlike what we do here. The proposed ordinance will legitimize the collection of fees through the budgetary process. **Cncl. Sebastian** advised Mr. Fiore contacted him as the Ordinance Chairman and requested this be placed on the agenda for discussion and he (*Cncl. Sebastian*) requested that it be cleared by the Council President as well. **Cncl. Bryson** questioned whether this was going to establish a \$750.00 fee or establish an itemized fee on an hourly basis. Mr. Fiore noted it is not done hourly and there has not been one applicant that has requested an hourly breakdown. Generally the people involved are the solicitor, planner, township engineer and Planning Board engineer and the fee is to defray the cost for them to attend a Thursday meetings where a non-residential party brings a project forward. **Cncl. Sebastian** noted this is actually cost effective for a developer because if they go before a board they could be told additional information is needed and they will need to come back, which cost additional money to pay the board's professionals. **Business Administrator, Kevin Heydel** noted for the record he wanted to make it perfectly clear that the \$750.00 was calculated to cover the cost of \$250.00 per professional. Currently if one of the professionals is unavailable to attend a meeting the developer would get \$250.00 back and he questioned whether this fee ordinance will include a process for reimbursement without a resolution from council authorizing the reimbursement. Mr. Fiore noted language dealing with that can be added to the ordinance. It was noted the ordinance could go for First Reading during the Regular Council Meeting this evening and then additional language dealing with a reimbursement could be added prior to the Second Reading.

• **Towing Update**

Director of Public Safety, Jim Smart reported as requested at the previous Work Session Meeting Officer Mark Burton sent out letters to the towers showing their deficiencies. All towers have met their requirements based on the paperwork that was sent out with the exception of Midway, which has six violations that have not been satisfied at this time. **Cncl. Pres., Marvin Dilks** questioned whether everyone on the list was in compliance with the ordinance except for Midway. Director Smart replied yes. **Solicitor Fiore** recommended the Director of Public Safety recommend the list be approved, with the exception of Midway Auto, during the correspondence portion at the Regular Council Meeting. **Cncl. Sebastian** questioned how the removal of Midway would affect the towing schedule. Mr. Smart explained the 2012 schedule will be issued after Council approves the list and the rotation schedule will remain the same. **Officer Mark Burton** explained

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B.) MATTERS FOR DISCUSSION (cont'd)

there is a tentative list that is ready to be sent out as early as tomorrow pending the results of this meeting.

C.) PUBLIC PORTION

Cncl. Frank Caligiuri made a motion to open the Public Portion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance. With no one wishing to speak **Cncl. Rich DiLucia** made a motion to close the public portion. The motion was seconded by **Cncl. Frank Caligiuri** and unanimously approved by all members of Council in attendance.

D.) NEW BUSINESS - None

E.) OLD BUSINESS

Cncl. Frank Caligiuri noted during the last Council Meeting Resolution R:202-2011 was approved. At that time no certification of available funds was given and the CFO said that he would prepare it. **Cncl. Caligiuri** questioned if that was ever done. **Township Clerk, Susan McCormick** advised it was done the next morning and is on file with the Resolution.

Cncl. Daniel Teefy questioned whether there was any more grant money available to complete paving the small stretch of Winslow Road that was supposed to be paved by developers. **Mayor Gabbianelli** explained the next section to be paved is to Buckhorn Drive and then if additional funding is available other portions of that road will be paved. **Engineer Dave Cella** added a grant application has been submitted to the NJDOT for funding to pave up to Buckhorn Drive.

F.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Pres., Dilks requested Mr. Heydel to explain Resolution R:213-2011. **Mr. Heydel** explained the resolution cancels out \$400,000.00 from this year's appropriation so that money can be applied to the surplus balance for next year instead of having to wait until the following year. He estimated that the township will have approximately \$450,000.00 to \$500,000.00 left over for the following year. \$200,000.00 of that is from salaries of employees who retired during the year. **Cncl. Pres., Dilks** questioned whether this was ever done before. **Mr. Heydel** noted it has been done once since he has worked for the township. **Mayor Gabbianelli** advised four or five police officers will be retiring next year and we will at least need to maintain the number we have now.

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G.) QUESTIONS REGARDING ORDINANCES SCHEDULED

Cncl. Daniel Teefy referred to Ordinance O:28-2011 and noted he is not in favor of the effective date being retroactive to January 1, 2011, as he felt the effective date should be January 1, 2012. He added he was also not pleased with the new position for Personnel Assistant/Claims Coordinator and because of those issues he would be voting no on this ordinance.

H.) ADJOURNMENT

With nothing further for discussion **Cncl. Frank Caligiuri** made a motion to adjourn the Council Work Session of December 27, 2011. The motion was seconded by **Cncl. William Sebastian** 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 December 27, 2011 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 *SM* Date *1/24/12*
Approved as corrected _____ Date _____