

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
MARCH 13, 2012**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Frank J. Caligiuri** 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. Walter Bryson** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

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

B.) MATTERS FOR DISCUSSION

• **Capital Improvement Ordinance**

O:12-2012 Bond Ordinance Authorizing The Acquisition Of Various Pieces Of Equipment And Completion Of Various Capital Improvements In And For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$3,200,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Monroe, County Of Gloucester, New Jersey, In The Aggregate Principal Amount Of Up To \$3,040,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

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B.) MATTERS FOR DISCUSSION (cont'd)

Mayor Gabbianelli spoke on how the township was in the process of re-structuring our bonds. He spoke of the need for a pumper/rescue truck for Cecil. He added after speaking with Mr. Reitz and others and in reviewing all the various needs; we felt we would get a bigger bang for our buck going out to bid for three vehicles with the same cab and chassis (*one (1) Rescue Engine with Pump and two (2) Pump Engines*). He also spoke on the need for three (3) new trash trucks, one will be purchased with recycling funds, and the other one-arm bandits will be funded through the capital ordinance. The Mayor stressed this is only being done because we need the equipment, if we don't get it this year, we will have to get it next year. Right now seems to be the right time especially with the re-structuring of the bonds and he proceeded to explain the savings the township would realize in handling the bonding this way. He then referred to a Standard and Poor's report, with a summary for Monroe Township, just recently received and noted this was an excellent report, indicating a bond rating of AA Stable.

Cncl. William Sebastian then spoke on the report generated through the Public Safety Committee. He explained that in the report there was a recommendation to deny Cecil a vehicle. However, what we were referring to was a heavy rescue vehicle, as the township does not need two heavy rescue vehicles. We had no problem with Cecil taking a rescue/pumper where they have limited equipment for rescue on the pump truck. Williamstown Fire has equipment on one of their pumpers that actually came from Monroe Ambulance. This enables them (*Williamstown Fire*) to have the ability to pop a door or do a minor rescue operation before the heavy rescue gets there. **Cncl. Sebastian** went on to speak of some other issues. One being, the two pumpers being bid for Williamstown Fire carries an estimated cost of approximately \$650,000 and you cannot divide this by two and come up with an estimated cost for a single pumper because the costs are lower because it is a two- for deal (*a reduced price for ordering identical duplicate vehicle/equipment*). If you were purchasing one separate vehicle, the cost would be more like \$480,000. He then explained the rescue/pumper is not exactly the same chassis, same model, but chassis is a bit longer. It has a heavier rear axle, the compartments are larger than on a regular pumper, they have an articulated scene light, connections on both the front and rear bumpers for hooking up the jaws of life and other additional equipment not on a regular pumper. **Cncl. Sebastian** then noted, as for himself personally he did not have a problem with the set up, the way it is as far as the monies are concerned (*rescue vehicle, two pumpers, and compressor*). He indicated he has had numerous conversations with the bidders, noting the bid was advertised on Sunday, March 4th, with the bid opening scheduled for **Wednesday, March 28th at 10:00AM**. Since then six manufacturers have picked up bid specs, and the way the bid is set up it is an all or nothing deal.

Director of Code Enforcement, George Reitz advised that most of the *equipment* for all the trucks will be coming from existing vehicles (*trucks getting rid of*). All the existing equipment on the heavy rescue from Cecil is going to be outfitted onto the new truck. He explained the truck put out to bid for Cecil is a rescue/pumper (*Class A pumper*) it will have 750 gallons of water on it, at least a 1,000 gallon a minute pump, 10kw generator, and a cascade system that will fill sixty (60) 4.5 bottles (*breathing*). Currently, Cecil's rescue has a compressor on it that is diesel and is obsolete. In the bid for this

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B.) MATTERS FOR DISCUSSION (cont'd)

vehicle there was included a compressor (*permanent mount*), that will be kept in the fire house. It will have a hose to go to the truck to fill the cascade. Therefore, that one truck will be a light rescue and cascade truck. Mr. Reitz stressed that the vehicles going out for bid are bare bones. Discussion continued on the costs and the needs of the township.

Cncl. Rich DiLucia noted as of last week, the public safety committee did a statistical review, in terms of a heavy duty rescue and concluded that was not warranted. In addition, we also advised the chiefs this depended upon the economics of the situation but if it was found to be warranted we would find a way to fund this. When the numbers involved were submitted, not being an expert on pumpers and heavy rescue equipment, he asked for at least a presentation. With the presentation being made he now understands just what is being bid and he did not have a problem with the way it is being funded and understands there is a need for such vehicles.

Business Administrator, Kevin Heydel stressed that we, along with bond counsel, will do our best to structure this bond to try to maintain our annual debt expense. Some of this will depend on the "*useful life*" of the vehicles

Cncl. Marvin Dilks questioned once these vehicles are purchased and put into service, how many years down the road would we be looking at for the purchase of additional equipment and what, if any, would that equipment would be. **Director of Public Safety, Jim Smart** noted that perhaps probably down the road the only thing we would be looking at is "pumpers". The big pieces are done. The rescue at that point within Monroe Township itself will be re-visited and a determination will be made at that time. **Ordinance O:12-2012** was scheduled for approval at the Regular Council Meeting.

- **Block 9206, Lot 9 – 163A Thirteenth Avenue**

Solicitor, Charles Fiore referred to a correspondence dated March 6, 2012 sent from his office recommending the township conduct a *land sale* on this property which has been transferred to the township. Mr. Fiore offered some background information advising the property was owned by an individual through an estate. The "estate" filed an Order to Show Cause with Probate Court to abandon this property. The estate gave this property back to the township, it had no value to the estate. There was an Order transferring the property to the township. Also, there are third party liens on the property in the amount of \$2,800, we need to refund that amount and put the property up for land sale. Mr. Fiore requested a recommendation from council that a resolution be prepared to include this property in a land sale and to have Director of Real Estate, Charlie Abel establish a minimum bid. It was the consensus of council to authorize the solicitor to prepare a resolution after all the information is received on the establishment of a minimum bid.

- **Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank – (Ordinance O:13-2012)**

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Business Administrator, Kevin Heydel explained this establishes a CAP Bank and in the event it is needed, you have this to draw from. **Cncl. Pres., Caligiuri** indicated he spoke with the Auditor on this and he was advised that this ordinance will afford us the opportunity to exceed the 2% cap, up to 3% (*if needed*). The way the budget looks to date it is not expected that we will need to use it. This ordinance was scheduled for approval at the regular council meeting.

C.) PUBLIC PORTION

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

Engineer, Chris Rehmann advised the township is close to having DOT approval on the reconstruction plans for the Fries Mill/Glassboro Road intersection. He urged the assistance of the county with regard to the construction of this intersection and any funding that can be put into the county budget (*as this is a county road*) would be much appreciated. Mr. Rehmann explained we are trying to keep our \$2 million grant out of NJDOT. These proposed intersection improvements would eliminate many issues for commuters in that area.

Cncl. Walter Bryson questioned the engineer if there were any future plans on either the county or state level to widen Route 322 coming from the Glassboro direction. Mr. Rehmann advised there was a plan the state studied and Fries Mill Road is at the end of the study. This plan has been in the mayor's office for, at least, the last three years. Mr. Rehmann explained, if you understand funding through the Federal Highway Administration you either have to purchase property or receive donations of land and this must be done under certain procedures for the federal acquisition of real property. What the county should appreciate is the fact we (*Monroe Township*) worked through the State of New Jersey to get those properties donated (*four corners of Fries Mill & Glassboro Rd.*) which probably saved the state somewhere around \$1.3 million, not to mention the appraisals, surveying, parcel mapping and all the other things that go along with it. Mr. Rehmann went on explaining we are trying to get that intersection re-built. The last thing that needs to be done is signal timing and that was being debated through the Bureau of Traffic Engineering. There should be some approvals coming through rather quickly.

Mayor Gabbianelli updated council on the intersection of Corkery Lane and the Black Horse Pike. He added Senator Madden got involved to no avail. The mayor indicated that both he and Senator Madden requested that a right hand turn from Corkery Lane on to the Black Horse Pike (*western direction*) be approved at this intersection. It seems there was not enough room for acceleration on a right hand turn and the state will, in all likelihood, go back to the plan as it was designed originally. Mayor Gabbianelli noted the owner of the complex located there is requesting his bond money be returned, and he is entitled to this, his job there is complete with the exception of the intersection.

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With no one else wishing to speak **Cncl. Ronald Garbowki** made a motion to close the Public Portion. The motion was seconded by **Cncl. Walter Bryson** and unanimously approved by all members of Council in attendance.

D.) NEW BUSINESS

Cncl. Walter Bryson referred to an article that appeared in the Star Ledger with respect to Shared Services. This article referenced a new proposed bill that carries a heavy hammer with what the state wants to do. They proposed to set up a committee in Trenton, the committee will decide what services townships or counties are to utilize. If they do not utilize the services then what the state will do is to deny state funding in the amount of the costs/difference for the shared services. The Mayor felt we should not have to worry greatly about this as our shared services are favorable. **Cncl. Bryson** advised that he wrote an email to Senator Madden, Assemblyman Moriarty and Assemblywoman Mosquera asking them to consider several points from local municipalities with respect to the present proposal. He referred to his email, indicating copies would be made available to council members and read a portion of what was contained within the email.

Under the present proposal, the Legislation proposes a Commission to estimate how much Municipalities would save if they shared services. This commission would certify the proposed savings figures by the State Treasurer. Municipalities that don't act on the findings of the commission and adopt the mandated shared services and proposed savings would see their state aide dropped by that amount. This is no doubt, forced participation, a key part of our present County plan, but not very practical nor considerate of the local residents needs and wants. Not to mention replacing local Elected Government with appointed Commissioners. The idea of taking State funding from the municipality is unjust and extreme not to mention being ignorant and inconsiderate of the amount the locals pay in State imposed taxes.

- 1) When enacting the Bill, a simple appeal process should be included so the Local parties to the proposed merger could justify why proposed Shared services would not provide tax benefits to all parties.*
- 2) When enacting the Bill, take into consideration the scale of the proposed merger. If the merger is a large scale proposal, County with County, State with County, then let it be mediated at the State level. If it is a more localized proposed merger, Town to Town, or County to Town, then let it be mediated at the County level.*
- 3) Be sure that the new law allows all parties effected to be able to participate in settlement talks and if stalemated, consent to mediation.*
- 4) Provide for any parties to opt out after a period of time if the perceived benefit of the proposed merger is not achieved by either party.*
- 5) Instead of penalizing merger parties as proposed by the sponsors, give them an incentive, a one-time increase in aide to help pay for the initial changes any merger would have.*

Cncl. Walter Bryson then requested that council members take this information under advisement and consider drafting a resolution asking for consideration in this new

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D.) NEW BUSINESS (cont'd)

bill. **Cncl. William Sebastian** then spoke on the Shared Services matter in as much as the number this commission is going to come up with on the proposed savings is an arbitrary and capricious figure, not based on any facts. If two communities up in North Jersey join in said shared services and they would realize a savings of say \$1 million, it does not mean that two communities in South Jersey are going to realize that kind of savings. Also, if in fact, the committee is going to penalize us for not joining in the shared services, are they willing to back up that number, when or if we join, when their proposed savings are not realized. They are coming up with a fixed number that they are willing to use the whole 100% to withhold from us (*as a hammer to join those services*) but there is no guarantee of that amount being saved. He discussed his feelings on the problems with the law, as it is being proposed. The Mayor felt this was a long way in coming, he felt we did not have to worry about it. Gloucester County has moved forward with the shared services programs, the ambulances, tax assessor, dispatchers, etc. **Cncl. Pres., Caligiuri** suggested that **Cncl. Bryson** work together with **Cncl. Sebastian** and gather some points to be included in a draft resolution. This information could be forwarded to the solicitor for his review and preparation of a resolution and if approved it can be distributed to all municipalities throughout the state.

Cncl. Daniel Teefy noted he would not be in favor of doing something of this nature. We are in a state right now where we are trying to save throughout the state and shared services has been a big thing for the last ten (10) years and we have realized some savings. **Cncl. Teefy** felt to put a resolution together against this bill/committee just sticks out like a sore thumb or we don't want to play ball with anyone. **Cncl. Pres., Caligiuri** noted his impression of what he heard was that they are after some definition and the verbiage included in our proposed resolution is up for negotiation before we would even pass it.

Cncl. Rich DiLucia made a request to council to think about another resolution, one dealing with the opposition to the governor's position to offer a 10% reduction in wage taxes as opposed to putting it towards real estate taxes, which would be more equitable. There is going to be something coming out of this that is not going to be in the best interest of what he considers the issue that is most pressing for us, that is tax relief. **Cncl. DiLucia** went on to indicate that if this percentage increase goes through it will be the same thing that **Christie Whitman** did in giving a tax relief on income and that is when the real estate taxes funded that. This governor is saying he wants to give 10% over three years, but where is the money coming from? No one has reported so far there is an excess of money. There has been money taken out of education and out of municipalities, which in turn affects services. Now, all of a sudden he (*governor*) politically is going to give everybody this windfall of 10%. Even if I don't want to be greedy and say that the people who don't work won't get anything, speaking of retirees, disabled people, people who probably need relief more than anyone but someone who is making the average of \$50,000 to \$60,000 a year, after three years is going realize about \$500.00 a year. The millionaires are again going to realize about an average of \$7,000.00. He added there is some by-partisan negotiation going on. **Cncl. Pres., Caligiuri** advised there is a democrat variation to this. **Cncl. DiLucia** noted at some point this is going to take the form of a wage reduction and it

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D.) NEW BUSINESS (cont'd)

won't be a real estate thing. The first question that should be raised is where is the money coming from and what is it going to cost. **Cncl. Pres., Caligiuri** offered a suggestion that he would recommend for Cncl. DiLucia to give both the Senator and Assemblyman a call, they will speak with you directly and explain the democrat version. **Cncl. DiLucia** indicated he had no problem in doing this but as a reminder, Paul Moriarty just voted with the republicans on the last big bill. **Cncl. DiLucia** then stressed the we (*council*) put together a resolution, if everyone feels the same way, saying that if in fact there is money for tax relief it ought to come in the form of real estate tax relief. Not in the form of the disparity that is going to give the rich another bigger kick then the people who need it the most. He added if someone does not oppose the whole theory of wage tax relief that it is going to come out in the form that does not benefit the people of this town. It will come from money out of a treasury that is already at a deficit and it will not be applied to real estate. That is the only place that any kind of tax relief should be applied right now. Again, **Cncl. DiLucia** proposed that we author a resolution and send it out to other townships that we oppose any tax without knowing where the funding is coming from and tax relief should go in the form of real estate tax relief. **Cncl. Pres., Caligiuri** requested that Cncl. DiLucia put together some information and forward it to the solicitor.

Cncl. Walter Bryson referred to an email received from the CFO on the credit profile for Monroe Township generated by Standard & Poor's. The Mayor spoke on the report, adding that he was very proud of the work the township has done and was pleased with the report. Mayor Gabbianelli noted that this township is an anomaly, if you look at other towns throughout the area and how they have struggled with lay-offs, etc. we here in Monroe Township should be quite proud of our accomplishments. Collectively we have done a tremendous job and the Standard and Poor's report is a wonderful thing for this body as a whole.

Solicitor, Charles Fiore spoke with regard to three (3) draft resolutions submitted to council dealing with the Chestnut Green development. He explained back in March, 2010 we accepted maintenance guarantees for Sections 1, 2, and 3. These bonds automatically expire on March 23, 2012. The solicitor indicated that back in February he sent a letter to Mr. Kernan, engineer inspecting the project, and received correspondence back from Mr. Kernan indicating there are certain punch list items that need to be completed. In anticipation of that, the solicitor prepared resolutions deeming Chestnut Green to be in default of the maintenance bonds. This is simply due to the fact the bonds automatically expire, as do all maintenance bonds. Explaining if we do not take the affirmative act to deem them in default, they will essentially get off the hook for completing those certain punch list items that Mr. Kernan referenced in his letter. It was the consensus of council to move forward with the resolutions and place them on the regular council meeting for approval. It was noted these resolutions would be numbered Resolution R:83-2012, R:84-2012 and R:85-2012.

Solicitor, Charles Fiore then spoke of a court decision made last week deeming the action of the governor, the executive order dismantling COAH was illegal or improper. Due to the fact, the only entity that can dismantle or suspend the authority of COAH is the

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D.) NEW BUSINESS (cont'd)

legislature. **Cncl. Richard DiLucia** advised he read the legal opinion on this and the opinion was so strongly worded that in all probability no court will hear an appeal.

E.) OLD BUSINESS - None

F.) COMMITTEE REPORTS

Cncl. Pres., Frank Caligiuri reported on Thursday, March 1st he organized an meeting of the Redevelopment Committee with regard to what used to be the Acme Redevelopment zone. This parcel was split to become Williamstown Square on one side and an undefined redevelopment zone on the other side. It seems there were bits and pieces of that redevelopment zone that did not make sense anymore as the intersection is not there and it was not part of a single project. As a result of that we are going to introduce Resolution R:80-2012 (Resolution Of The Township Council Of The Township Of Monroe Authorizing The Planning Board To Conduct An Investigation And Prepare An Amendment To The Acme Redevelopment Plan Pursuant To N.J.S.A. 40A:12a-1 Et Seq.) which would empower the Planner to make investigations and some changes. Also, on February 23rd the first budget committee meeting was held.

Director of Public Safety, Jim Smart gave a brief update on the 700 MHz Public Safety Band. He advised that the FCC has deemed the 500 MHz stuff dead in ten (10) years, which means we will have to go to 700 MHz. At the county level there is an investigative committee being put together on what the next move will be for the county and just when this will transpire. At this time, there is no other action taking place on this matter.

G.) QUESTIONS REGARDING RESOLUTION SCHEDULED - 3/13/12

Engineer, Chris Rehmann referred to the ten (10) resolutions (R:69-2012 thru R:78-2012) with respect to the Willow Woods development that were scheduled for approval. **Cncl. Pres. Caligiuri** noted that at one time there were some issues with the retention basins. Mr. Rehmann noted that there still is. There are about three or four problems with individual lots adding we finally got the Beckley Drive drainage system in and now they have to sweep the street. In essence, what we are doing is reducing the bonds taking into account the infrastructure that is there and keeping no less than 30% of the original bond for completion of the work. Mr. Rehmann went on to explain we won't be taking any further reductions until we get the majority of the work done. There is still work being done on one of the basins and the big advantage on these basins is that if they fail, they fail into a wetlands area where there is no homes (*not causing any physical damage to people's homes*). Mr. Rehmann also noted that Sections 2 thru 7 are completely built out while Sections 8, 9 and 10 still have homes to be constructed. We will not release any of the bonds in total and the township is still protected. He added Sections 2 thru 7 are

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G.) QUESTIONS REGARDING RESOLUTION SCHEDULED - 3/13/12

top paved with the exception of Mannington (*main drive into development*) and they did not want to top that at this time. Mr. Rehmann then spoke on the original design of the development, explaining that it was designed and got preliminary approval, went to the state and got all their environmental approvals when someone said there was swamp in there and you must move the basins further away from the wetlands areas. That caused some problems but it is getting fixed; slowly but it is getting fixed.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED - 3/13/12 - None


I.) ADJOURNMENT

With nothing further for discussion **Cncl. Ronald Garbowski** made a motion to adjourn the Council Work Session of March 13, 2012. 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 March 13, 2012 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 AmJ Date 3/27/12
Approved as corrected _____ Date _____