

**MINUTES  
ORDINANCE COMMITTEE  
TOWNSHIP OF MONROE  
OCTOBER 3, 2012**

**A.) CALL TO ORDER & ROLL CALL**

The Ordinance Committee Meeting of the Township of Monroe was called to order at 7:03 PM by **Ordinance Committee Chairman, Cncl. William Sebastian** in the Second Floor Meeting Room of the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the Open Public Meetings Act of New Jersey (*NJSA 10:4-6 thru 10:4-21*). Notices were placed in the official newspapers for the Township of Monroe (i.e.: Gloucester County Times, the Courier Post and the Sentinel of Gloucester County) and copies were posted on the bulletin board at the Municipal Complex.

**SALUTE TO THE FLAG**

**Cncl. Pres., Frank Caligiuri** led the assembly in the Pledge of Allegiance to Our Flag.

**ROLL CALL OF PUBLIC OFFICIALS**

Cncl. Walter Bryson	Present
Cncl. Frank Caligiuri	Present
Cncl. Marvin Dilks	Present
Cncl. Rich DiLucia	Present
Cncl. Ron Garbowski	Present
Cncl. Daniel Teefy	Present
Ord. Chairman, William Sebastian	Present
Business Administrator, Kevin Heydel	Present
Solicitor, Charles Fiore	Present
Deputy Clerk, Sharon Wright	Present

**B.) APPROVAL OF MINUTES**

**Cncl. William Sebastian** referred to page 7 and pointed out where it says Title 4A should be corrected to *Title 40A*. **Cncl. Ronald Garbowski** also had a correction on page 11 under the digital sign issue the word looms should be corrected to *lumes*.

**Cncl. Ronald Garbowski** made a motion to approve the minutes as corrected of the Ordinance Committee Meeting of September 5, 2012. The motion was seconded by **Cncl. Rich DiLucia** and approved by all members of Council.

**C.) PUBLIC PORTION**

**Cncl. Daniel Teefy** made a motion to open the Public Portion. The motion was seconded by **Cncl. Pres., Frank Caligiuri** and unanimously approved by all members of Council.

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C.) PUBLIC PORTION (cont'd)

Tracy D'Andrea, of Sherwood Drive in the Chestnut Green Development was in attendance questioning whether it was true that portable basketball nets are not permitted in the street or on the curb, as Sherwood Drive residents were cited for theirs that were in the street. She noted the entire development was not cited just Sherwood Drive residents and that was done to appease neighbors having a spat with each other. Cncl. Sebastian explained according to the ordinance basketball nets must be located on the resident's property; they are not permitted between the sidewalk and the street because that area is township property even though residents are required to maintain it. The ordinance came about because the Public Works Department had problems getting around basketball nets when picking up trash and because residents were complaining about kids playing basketball in the street. Mrs. D'Andrea noted the ordinance is not enforced township wide and she questioned whether it could be changed to allow basketball nets on streets with a 25 mile per hour speed limit or ones that are not busy or through streets. Solicitor Fiore explained the ordinance cannot be defined by 25 miles per hour because that is the minimum speed by law for every street. Basketball nets in the street have been debated for the last fifteen years because it is really difficult to define the criteria for what would be an appropriate street to allow them. Mr. Fiore noted this ordinance was well thought out from input given by the Police regarding public safety and the Public Works Department regarding trash pickup and snow removal. The basketball nets in the street were an obstruction and several years ago Council adopted the ordinance to prohibit them across the board in order to avoid problems such as this. The issue of enforcement is a different issue that should be addressed by the Police Department. The ordinance should be enforced across the board so if one person gets red stickered everyone does. Cncl. Daniel Teefy explained permanent basketball fixtures are prohibited but the portable ones can be placed in the street/curb but when the kids are done playing they must be brought back into the yard. A few years ago the ordinance required kids to move them back into the yard even if they stopped playing to go in for lunch but that requirement was eliminated from the ordinance. Mrs. D'Andrea noted what really bothers her is that it is being selectively enforced. Cncl. Sebastian explained many times officials act upon a complaint, which could just involve a specific street and that is all they deal with, they do not drive around looking for other violations. He noted he is not justifying that but he is not referring to it as selective enforcement either because the police were acting upon a complaint. Mrs. D'Andrea noted the woman who started all of this has a shed that sits in the easement and extends further out than the front of the house and that is a complete zoning violation. She noted the police officer tried to defuse the situation and work it out rather than involve an entire street but that didn't happen and now it is becoming a hostile environment.

With no one else wishing to speak Cncl. Ronald Garbowski made a motion to close the public portion. The motion was seconded by Cncl. Pres., Frank Caligiuri and unanimously approved by all members of Council.

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**D.) ORDINANCES FOR REVIEW**

- **O:28-2012** An Ordinance To Amend Chapter 4 Of The Code Of The Township Of Monroe, Entitled "Administrative Code", Article XIA, Department Of Parks And Recreation, Section 94, Criminal History Background Checks Concerning Township Sponsored Or Co-Sponsored Recreation And Sports Programs (N.J.S.A. 15A:3A-1 Et Seq.)

**Solicitor Fiore** explained Greg Wolfe would like to streamline the appeal process for people deemed to be ineligible by making the Chief the first determination as well as the appeal person. Greg's concern from a practical standpoint is that three people will need to be assembled to hold a meeting. Mr. Fiore felt that does not make sense. He noted currently the Chief is one of three on the Review Committee and the whole idea of a board of three is that there will be an appeal process. The chief is on the committee in other towns and those appeal processes work. **Cncl. Sebastian** polled Council and all were in favor of leaving the appeal process as is with a three member Review Committee.

**E.) MATTERS FOR DISCUSSION**

- **Digital Signs**

**Cncl. William Sebastian** noted at their meeting last night the Zoning Board of Adjustment addressed the Road Company's application to change the Grand Theater marquee to a digital LED sign. The Zoning Board was also contacted regarding the process to change the billboard at Frank's Auto on the Black Horse Pike to LED like the one on the Walt Whitman Bridge. He noted the code has no guidelines, rules or regulations for what those signs should be but he did mention during the discussion the sign should not be scrolling with a continuous message and that the lumes should be controlled. **Cncl. Pres., Caligiuri** felt illuminated signs were covered under Chapter 175. **Cncl. Sebastian** noted illuminated signs are but the LED signs are in of themselves and they are not. The current ordinance deals with signs with the arrow on top and letters that can be changed and it restricts the use of red and blue lights in store windows but it does not regulate how bright or big an LED sign can be. Originally the Zoning Official allowed LED signs because he interpreted the ordinance to state as long as signs contained public information such as the date and time they were permitted. **Cncl. Sebastian** brought to the Zoning Official's attention the other language in the ordinance that says they are not permitted and from that day on any requests for these signs have gone before the Zoning Board of Adjustment or before the Planning Board if the sign is part of their initial application. **Solicitor Fiore** noted in his opinion the sign at Frank's Auto would need to go back to the Zoning Board to modify their original variance. **Cncl. Sebastian** agreed, adding that the point he is trying to make is that there is no direction for the Zoning Board of Adjustment. Mr. Fiore spoke of reviewing codes from other towns and noted Cherry Hill allows them as part of a site plan, Haddonfield and Haddon Township do not permit them and other towns prohibit them in historic districts. Those codes take into account scrolling, lumes, distance from the roadway, etc. and Council needs to review these types of things when considering an ordinance. **Cncl.**

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

Sebastian explained how the Grand Theater marquee will be the same size as the old one and that the only part that is actually changing is where the shows are listed. The top of the marquee will have the word "GRAND" back lit with LED edging, the two areas where the name of the shows appear will be LED, the front will be back lit and say "The Road Company" and the names of those that made donations or sponsored the theater will also appear on the marquee. Those names will be off/on, not scrolling, as that is what the resolution requires. Mr. Fiore questioned what the justification was for putting supporter names on the marquee, as this is a historical theater and even though they may want to thank people for donating that cheapens it a little. Solicitor Fiore noted through the variance process the Board could dictate what can be put on signs. He referred back to the issue of LED signs being regulated in the Code Book and noted if the code is silent on an issue, than a variance is needed. Cncl. Sebastian noted the Road Company did that and now it's before the Board but there is no direction in what the municipality wants LED signs to be other than the things he brought up as the Council liaison. Laurie Hudson, of the Road Company, stated Council was working on an ordinance to make these signs a permitted use but she was advised by Cncl. Sebastian on the record that Council had not made a decision regarding whether it is to be a permitted use or not. That matter is only in the discussion phase to determine what should or shouldn't be said about LED signs. The Zoning Board understands Council is not looking to make these permitted uses and the fact that since the code is silent they are not allowed. Mr. Fiore explained if Council decides to make them a conditional use, criteria would need to be included in the code for the boards to follow and there is a lot of material out there to review prior to adopting an ordinance. Cncl. Pres., Caligiuri suggested Council send a memo to the Planning Board or Tim Kernan to see if there is any typical verbiage on LED signs. Cncl. Sebastian noted he would do that and also give sample ordinances to the chairman of each board so they could review them as well. Cncl. Rich DiLucia noted he would like some discussion on the pros and cons of digital signs before an ordinance is written, as there may be safety factors involved and statistics regarding accidents caused from people reading those types of signs while driving. Cncl. Sebastian noted the article in the Professional Planner Magazine addressed the pros and cons and restrictions that should be included in an ordinance. Cncl. Bryson suggested a digital sign manufacturer make a presentation to Council. Cncl. Teefy felt it will be hard to prohibit signs that scroll/move when the township has one at the Pfeiffer Center and at the Library. He also felt advertising should not be allowed on Main Street, only along the Black Horse Pike where we have had billboards for years. Cncl. Sebastian noted lumes and the size of the sign can be dictated but not what is said on signs because of the freedom of speech laws. Solicitor Fiore disagreed, he felt advertising can be limited. He explained if they are advertising what they do that's fine but if they are advertising for other people it can be limited. Dan Kozak noted the Road Company said they are going to advertise for their sponsors. Cncl. Sebastian noted they did not say they were going to advertise for their sponsors; they said they wanted to thank their sponsors on the sign but that issue is a moot point since the sign was already approved. Cncl. Teefy questioned why was it approved. Cncl. Sebastian explained it was approved based on the fact that it was not detrimental to the public good, the lumes would be controlled, there would be no scrolling and the sign would be informational. In the Board's opinion it should be permitted but they had no direction in that decision. Cncl. Teefy noted there is direction; there is nothing on the books so there's the direction. Cncl. Sebastian

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explained State Law allows people to go before the Zoning Board of Adjustment to seek relief from ordinances. Cncl. Teefy noted by State law the Board could say no. Solicitor Fiore explained in those instances the Board needs to do the balance test of the positive criteria against the negative criteria. Cncl. Sebastian noted the attorney for the Road Company did that and went on to explain how if the Board denies an application the applicant can take the matter to court. Solicitor Fiore noted not all applications go before the court because some people don't have the money to do that. Dan Kozak noted as far as he knows the Board has never turned anyone down. Cncl. Sebastian replied the Board has turned some down and some of them went to court and some that were approved even went to court. Solicitor Fiore explained off site advertising that deals with something not related to the property is where we could potentially run into a problem and that is why the boards should be given guidance. Cncl. Teefy questioned how billboards are charged. Solicitor Fiore explained they are taxed on their revenue. Cncl. Teefy noted he would like to see billboards changed to digital because they would make more revenue for the township. Cncl. Sebastian noted the Board could deny those types of billboards, which is why guidelines of what the municipality wants the community to look like are needed. He requested Council think about what they would like and then this matter can be discussed again at a future meeting.

• **Ordinance O:27-2012 - "Division of Police"**

Cncl. Sebastian explained the ordinance enumerates the number of police officers at 11 corporals and 30 patrolmen. The accreditation process eliminates the corporal rank and as corporals are promoted additional patrolmen will need to be hired to replace them but the problem is patrolmen are limited to 30 in the ordinance. Cncl. Sebastian noted he recommended to the Solicitor that additional language be included in the ordinance prior to the second reading such as *"the number of patrolman can increase proportionately to the decrease in the number of corporals"*. This would allow a patrolman to be hired every time a corporal is promoted so that technically the number of patrolmen could increase to 41 if there were no corporals. Solicitor Fiore explained corporal is being eliminated as it is not a recognized Civil Service title, it is a military title. Cncl. Bryson questioned whether the police force would increase since the corporals would still be employed plus we would have additional patrolmen. Cncl. Sebastian explained the force would not increase as the number of sergeants, lieutenants and captains are enumerated in the ordinance as well. **Business Administrator, Kevin Heydel** explained because of the shift changes that were done the Police Department is looking at restructuring each of the platoons. That will affect the ranks and the number of sergeants and lieutenants we will have depends upon the mayor. Right now the ordinance allows for ten lieutenants but that number would not be needed under the new structure while additional sergeants may be needed. At some point when the mayor makes a decision the ordinance may need to be readdressed. Solicitor Fiore questioned whether each shift must have a sergeant. Mr. Heydel replied no and explained the Police Chief is recommending that each platoon have three supervisors. There are ten people on a shift, one lieutenant and two sergeants and the reason for that is two supervisors can be out and there will still be one on duty. Corporals were always considered a supervisor but that is considered a military title not recognized as a supervisory rank in litigation. Solicitor Fiore questioned how many patrolman were on a shift

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

and if the sergeants were patrolling or in house. Mr. Heydel advised there are seven patrolmen on a shift and the sergeants as well as lieutenants are patrolling. Cncl. Sebastian noted as they become sergeants they have X number of years in the police department which entitles them to a certain number of weeks vacation so now when they go out the shifts will be covered. Mr. Heydel noted they now also get Kelly Time and that must be accounted for as well. Council posed questions regarding whether patrolmen would be increased within the next week or two, when the restructuring would take place and whether the final number of patrolmen would be 41. Mr. Heydel replied when this takes place depends upon when the Mayor decides to make promotions. Cncl. Sebastian noted the total force will be maintained and not exceed 70. The reason officers were enumerated was to keep a handle on the budget in regards to salaries for the police force. Discussion ensued regarding the number of officers in each rank and Cncl. Teefy questioned if patrolmen could request to be moved up to corporal if that title is included in the ordinance. Cncl. Sebastian replied no because that title is being eliminated and the chief will not allow any more corporals since that is not a legitimate rank in accreditation. Cncl. DiLucia questioned whether there was anything in the police collective bargaining agreement that addresses numbers in each rank. Mr. Heydel replied no. Cncl. Teefy noted the ordinance states "33 police officers and such personnel as may be authorized and approved by the Mayor upon consulting with Township Council and the Director of Public Safety". Cncl. DiLucia noted the word "consulting" was changed to "approved by Council" at the last meeting, as noted in the minutes. Cncl. Sebastian explained that is not referring to police, that sentence refers to clerical employees and in-house personnel, as the ordinance had to have language to deal with those employees that fall under the Police Department. If the Chief wanted to hire an additional clerical employee that would have to be approved by Council who is responsible for the payroll expenditures. Cncl. Sebastian polled Council and all were in agreement with adding the language to the ordinance.

• **Salary Ordinance**

**Business Administrator, Kevin Heydel** distributed copies of the proposed salary ordinance and explained that he would have liked to complete contract negotiations prior to presenting this ordinance but that did not happen and since we are getting near the end of the year it needs to be done. Cncl. DiLucia questioned what the holdup is in reaching agreements. Mr. Heydel advised a meeting was held with Sue Michielli two weeks ago and an agreement was reached with Local 1360 for a three year contract that gives an increase of 2%, 2% and 2% plus \$300.00 each year, as that gives a little extra to the employees without that amount compounding from year to year. Sue is writing up a memorandum of agreement that will be taken to the membership and she feels confident that they will pass it. The next contract is with the supervisors, who made a proposal on the financial side of 2½%. Mr. Heydel noted he will be going back to them with the same proposal he made to Local 1360 of 2% plus \$300.00, which still comes to approximately 2½% but in a different way. The supervisors also asked for something that is a long range economic issue that he could not resolve himself so it had to go before the Mayor and that is the holdup in those negotiations. Mr. Heydel felt the administrative employees would agree to the 2% plus \$300.00 so all contracts could be settled except for the supervisors. He noted the ordinance increases the salary ceilings by 2½% and

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for the hourly rates included in the 1360 contract the end ceiling was raised 2%. The only title out of that scope is the Multiple Dwelling Inspector and the reason for that is because that person is assuming different responsibilities. Cncl. DiLucia questioned if that would be a new job description. Mr. Heydel replied no, this is being done because he has picked up the Board of Health inspectors responsibilities that previously was paid a \$5,000.00 stipend and the building inspector responsibilities previously done by Ed O'Neill, who went out on disability retirement. Jim Morrison the Electrical Inspector took over the Construction Official duties previously done by Ed and the Multiple Dwelling Inspector, who has a Building Inspector's license will be performing those duties. The \$5,000.00 stipend will no longer be paid and since the Building Inspector is a higher rated title than the Multiple Dwelling Inspector the end amount for the Multiple Dwelling Inspector was raised to account for an increase in pay to cover the additional functions. The Multiple Dwelling Inspector's title could be changed to Building Inspector but that work is not more than 50% of the work he performs so his title will remain Multiple Dwelling Inspector. Cncl. DiLucia noted without renegotiating that job description Mr. Heydel is just unilaterally raising the pay and making a temporary assignment to that job. Mr. Heydel noted it is not temporary, it is permanent. Cncl. DiLucia noted it is temporary because the next person that takes that job may not have the licenses to perform the other duties. The problem is a rate will be paid to an employee and the job description will not identify or justify that rate. It would be better to negotiate a job that encompasses the extra duties and apply that rate to it so there are no problems going forward. Cncl. DiLucia questioned whether Mr. Heydel could hold off on this or promulgate a job description because that would not need to be approved by anyone, only the rate is what needs to be approved by the union. Mr. Heydel advised the person is not in a collective bargaining unit so no approval is needed. He indicated he would write a job description to create a dual title for the salary ordinance with the different rates of pay. He also spoke of ongoing contract negotiation with the police captains and chief and explained the salaries for those positions are probably higher in the ordinance than what they will actually get. The Chief's contract states that he will get \$5,000.00 more than the Captains and the Captain's says they will make \$4,000.00 more than a lieutenant over 20 years. The captains do not want a flat amount because every year that percentage decreases so where it may have started at 6% or 8% the difference in rank may now be down to 3.4%. They initially asked for 12%, which was denied so then they said they would compromise by rolling their standby pay into their salary in order to increase their pension. When they retire that would cost the township an extra \$300,000.00 for two officers over a period of 30 years so Mr. Heydel calculated what he felt would be reasonable and gave that to the Mayor for review. He noted he doesn't know what the Mayor wants to do but he may want to keep it at \$4,000.00 so the end number in the ordinance is basically meaningless. Cncl. Sebastian noted there was nothing in the ordinance for Deputy Chief. Mr. Heydel explained no one is in that position so that title is not needed in the ordinance and if it was included it could be a problem in regards to the percentage differences between the police titles. There is no anticipation of filling that position so why create a problem in the ordinance by including it. Cncl. Teefy questioned whether this would be retro to January 1, 2012, why contracts are never done ahead of time and if the township earns interest on the money that will be paid in retro salaries. Mr. Heydel replied all contracts would be retro to January 1, 2012, that contract negotiations take a long time and that the township does earn interest on those funds during

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the time period negotiations are taking place. Cncl. Sebastian questioned whether Mr. Heydel wanted the salary ordinance to move forward for First Reading and if so whether he could have the changes just discussed prepared for the October 9<sup>th</sup> Regular Council Meeting. Mr. Heydel advised that he would have the job description and title change prepared so that it could be reviewed at the Work Session Meeting prior to First Reading. Cncl. Sebastian polled Council and all were in favor of moving the ordinance forward for First Reading at the October 9<sup>th</sup> Regular Council Meeting.

- **Moving the Rescue Truck**

Mr. Heydel referred to the Mayor mentioning at a previous Council Meeting about moving the rescue vehicle from the ambulance building to the fire department and noted that the Mayor requested that he bring this issue up at the Ordinance Committee Meeting. He explained from what he understands the equipment kept by the volunteers is township property, which according to the agreement falls under the responsibility of the Business Administrator. Mr. Heydel noted as Business Administrator he reports to the Mayor and he wants the rescue truck moved. Cncl. Sebastian questioned whether the Mayor addressed the fact that the township paid for half the truck and the ambulance squad paid for the other half. Mr. Heydel replied he didn't know about that. Cncl. Sebastian noted that is one issue and the second issue is that the Public Safety Committee was assigned by the President of Council to look into numbers when an anonymous letter was sent about the ambulance association. Part of the assignment was to see what members from the Williamstown Fire Department and Williamstown Ambulance & Rescue were qualified/certified for rescue. Cncl. Sebastian noted he just received the information that he will be putting together in the form of a report for the Public Safety Committee first and then it will be given to the entire Council for review. He noted just because equipment is moved from one place to another doesn't mean that the people receiving it are qualified to handle the job. That organization has shown they can get out during the day better but that does not necessarily mean the ones getting out are qualified personnel to run on the rescue truck. The Ambulance Association can also get people out during the day but they are not qualified for rescue. There is more than auto extrication involved there is rope, confined space, water and ice rescue and a number of certifications are required for that. The Fire Company usually has Fire 1 and Auto Extrication 1 and 2 while the ambulance squad has certifications in Auto Extrication 1 and 2 plus 3, which involves heavy rescue for tractor trailers and buses. Cncl. Sebastian noted he is in the process of getting the information together that the Council President requested so he felt it was premature to discuss moving the equipment to people that may not be able to handle the job. Cncl. Daniel Teefy questioned what the reason was for moving the truck. Cncl. Sebastian explained the conversation was that the Mayor wants to give the Ambulance squad to the County and sell the building so in doing that we would have no place for the rescue truck. If ambulance services go to the County we could keep rescue in that building and it could be handled for both fire departments from that building. He noted he cannot speak for the Mayor because he doesn't know what his intentions are and he didn't know if he thought about it but if the rescue truck leaves many of the people in the ambulance squad will question why they are hanging around taking 378 ambulance calls a month when the Mayor is going to move it to the county. If that



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happens we end up with no one taking ambulance calls and we would need to go to mutual aid until January because the County can't take us until then even if we wanted to go. Cncl. Sebastian noted there are many issues involved and he is taking it one step at a time to find out first who is qualified to perform the duties assigned to the rescue truck as there is more to it than just auto extrication. Cncl. Walter Bryson made a motion to Table this issue until the Public Safety Committee has a full chance to review this and interview the people involved. Cncl. Sebastian asked if Cncl. Bryson would amend his motion to postpone it rather than table it because with a table the issue must be addressed at the next formal meeting. Cncl. Bryson amended his motion to postpone the issue until the Public Safety Committee has the opportunity to review the information. Cncl. Sebastian noted the stability of the County ambulance squad structure is an issue because they're losing money. If we go to the County and they fold those services could be thrown back to the township and our current members may not come back if they have other positions. Another point is that this is the only organization in town that brings in revenue. Cncl. Bryson noted another issue is if the County takes over our ambulance services and the Corkery Lane building we will still be responsible to pay off the bond on that building without the third party billing to cover that cost. Solicitor Fiore noted the County does not necessarily want the building. Cncl. Sebastian noted they want to rent the building and equipment for a dollar. He noted the Public Safety Committee will discuss that issue and the numbers he received from the BA in regards to the cost, expenses and revenue coming in. Cncl. Teefy questioned if the County provides rescue services. Cncl. Sebastian advised they do not; they only supply ambulance services. Mr. Heydel noted each town handles their own rescue and it is usually rolled into the fire departments. Cncl. Sebastian noted or they have their own rescue association but most are rolled into the fire department. He added he is not putting this issue on the agenda for an ordinance change until the information is all put together. Solicitor Fiore noted he has not discussed this with the Mayor but did speak to Jim Smart about it and gave the recommendation that as the Director of Public Safety he should convene everyone, including the Public Safety Committee to try to exchange the data. He indicated he didn't know much about it just that back in 2002 a contract was done between the municipality and the various associations and it empowered the business administrator at the time to have control over the equipment. Mr. Fiore was not aware of the association purchasing half the vehicle and what impact that would have on the business administrator deploying it. Mr. Fiore recommended Mr. Heydel not move the vehicle at this time because we don't want to jeopardize public safety. Ultimately if the decision is made to move it at least we went through a process to do that. Cncl. Sebastian noted the agreement states the municipality supplies the equipment and the associations supply the personnel. Mr. Fiore agreed and noted technically under the agreement the Mayor, unilaterally through the Business Administrator could potentially pull the plug. He noted he did not think he would do that and would not recommend that be done, as there are many discussions that need to take place. Mr. Fiore added there is a discrepancy within that agreement and it is something that was never ever contemplated and that is that this legal battle would be going on. He noted since Council is saying postpone it he will recommend the same to the Mayor until everyone can be heard. Without having a meeting to try to resolve this issue it will not work and we may not be jeopardizing our lives but possibly someone else's life. Cncl. Sebastian noted he wanted it on the record that he is a member of the Monroe Township Ambulance and Rescue

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Association and has been for over 32 years but that in no way has any bearing on his decision or suggestions. He noted as a volunteer he gets nothing out of the ambulance squad. Previously the squad owned their own hall and the volunteers could use it for parties at no cost, that is no longer the case and there is nothing to gain by any member of the association. The point is everyone is concerned about the public safety issue. He noted the numbers he is getting together will speak for themselves. The Mayor even said at the last Work Session Meeting there was no complaint about the ambulance doing their job, as 378 calls are covered a month. Cncl. Sebastian went on to express his concerns that the BA had to pull strings to get the motor fixed in the ambulance but there was no problem floating a bond for three fire trucks. Cncl. Bryson noted that is all part of what needs to be discussed, as EMS has basically been a stepchild. Cncl. Teefy questioned whether Jim Smart has been a part of the Public Safety Committee Meeting. Cncl. Sebastian advised that he will be, everyone will be included and brought together. Cncl. Rich DiLucia noted for the record many people have been contacting him either by phone or coming to his home and it is apparent that this has become an issue with the people in the town. He indicated in his position as a committee member he requested a financial breakdown on what revenue comes in and goes out including what we pay to the County for ambulance services. He noted there is a problem getting that exact cost but he understands there is a way they can calculate or extricate a dollar amount for those services from the 10.1% we pay to the County. All that money does not go towards the ambulance, we just pay an overall cost towards it so after we know the exact cost and whether we are losing or making money we may need to make a decision on whether to continue the service even if it operates in the red because the overriding factor is safety. Questions must be asked in regards to whether our response time is better, is it adequate or are we going to jeopardize our residents. He felt if the ambulance service is costing a lot maybe it should be presented as a referendum to the people, as they may be willing to pay for that service. Cncl. DiLucia noted there are many variables and possibilities involved in this. Finances should be a factor but the overriding factor should be how it affects the residents in terms of safety. Mr. Heydel advised he gave the 2011 profit and loss statement to Cncl. Sebastian and he asked him if he wanted the other Council members to get the information as well. Cncl. Sebastian had recommended that Mr. Heydel not give it to the other members as he would be including that information in his packet for the Public Safety Committee. Cncl. DiLucia questioned if Mr. Heydel had received a number from the County that made any sense. Cncl. Sebastian advised he was in the process of getting that information from the County. He explained in 2008 he sent an OPRA request to the County to find out the cost of EMS. Chad Brunner contacted him saying he should not have gone through OPRA he should have just called him and the information would have been provided. Cncl. Sebastian received the information from Chad Brunner and when the OPRA request information came in it was two million dollars higher. Cncl. Teefy noted the County budget is on line. Mr. Heydel advised their budget line item is Emergency Response, which incorporates the entire dispatch, EMS and everything else. Cncl. Sebastian noted salaries are not incorporated under EMS; they fall under salaries and all that information had to be put together for his OPRA request. Cncl. Sebastian noted once we get all the information we can take the average of the numbers and discuss it from there. He noted response time is important but it is not as important as being able to do the job when you get there so there are many variables involved. Cncl. DiLucia noted it may get ugly because some people question

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

where the \$900,000.00 is going and some people question why it takes longer for the volunteers to get there than the full time EMTs so this whole thing seems to be becoming a political football. He recommended Council in their final analysis do what we feel is in the best interest of the residents in terms of their safety and if we make money that's wonderful and if it costs us a little money, that cost for services must be weighed against what it provides. Cncl. Sebastian noted that cost must also be weighed against other services. He questioned what is it costing us to run the fire departments or trash pickup, as we run into the situation of where is the line drawn on what exceeds an expense. He noted the ambulance is bringing in \$900,000.00 and costing an additional \$100,000.00 over the course of a year while the volunteer fire department, which is getting three fire trucks from a two million dollar bond plus all the other stuff included in their budget, is all a loss. Cncl. DiLucia added it is also important for Council to know the County program is a pilot program and they are talking about subcontracting the emergency service and once they do that the pilot program is done. He noted this is a really big issue because what happens if we dismantle our emergency services, have no equipment and want to get back in. Where will we get the money to finance that if we cannot afford to go with the subcontractor and no longer have vehicles or our building so we need to take all this into consideration when making a decision. Cncl. Sebastian noted Council addressed Mr. Heydel's question and will discuss this further at a future meeting.

**F.) NEW BUSINESS**

Cncl. Walter Bryson requested Council consider drafting an ordinance or changing our existing ordinance to address vacant properties owned by mortgage companies or owners not maintaining them because they are causing surrounding property values to decrease. Some banks refuse to cut grass, fix shutters or even board up buildings as that would be better than what they are right now. Just having the grass cut is not enough anymore. He suggested the ordinance be broken down where it would deal with property owners with financial problems and foreclosed/abandoned property owners neglecting their property. Those neglecting their property should be fined to the maximum just like they do in other towns such as Haddonfield. There are properties in the township that are not only disgusting looking but that are health hazards as well. He requested Council review the existing ordinance to either change it or create an entirely new ordinance with stiff penalties such as \$50.00 per day for the first month the property is abandoned and \$1500.00 for each month after that and then if it is still not maintained the township should seize it and use it as a COAH property. Dan Kozak noted the Board of Health already charges for our men to cut the grass on abandoned properties and now the Board is going to charge an administrative fee of between \$100 and \$150 for the paperwork the Board has to do to chase after these property owners. He noted the township is not in the business of cutting grass, we want them to do it. The ones Cncl. Bryson is talking about are those that fall into the period of when homeowners stop paying their mortgages and the time the bank forecloses. The problem is the township cannot go after the bank, which has no right to go on that property or the homeowners because they are gone. Solicitor Fiore noted the average foreclosure is taking 900 days. Mr. Kozak explained the township cannot go on a property if the homeowner is living there; we must go through due process and take them to

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F.) NEW BUSINESS (cont'd)

court and then it's up to the judge. He added he understands what Cncl. Bryson is saying but the township is caught in between and he questioned whether Council would really want to board up the properties because that can look really bad as well. Cncl. Sebastian noted some communities have ordinances that require boards to look like the windows and doors. Mr. Kozak noted some truly abandoned homes are boarded up/secured from the inside so it doesn't look so bad. The windows can be broken but no one can get into the house. Cncl. Bryson questioned whether language such as "*the property must be maintained like the neighborhood*" could be included in the ordinance. Solicitor Fiore advised right now we have the property maintenance code, which is supposed to be the blight ordinance but the problem is people financially do not have the money to paint their homes similar to their neighbors. Cncl. Bryson explained the houses he is talking about have been vacant for more than three years and some for four and five years. He noted he would like to get a list of the properties in Ward 3 that are vacant and bank owned, as they are the ones that should be addressed. Cncl. Bryson noted these homes not only have health concerns and cause problems for the neighbors but they bring the values of the neighborhood down. Mr. Fiore noted he would review the existing ordinance to see how this matter can be addressed.

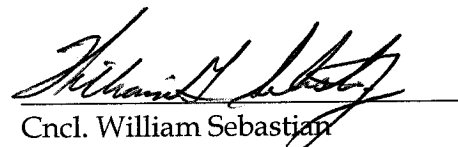
G.) OLD BUSINESS - None

H.) ADJOURNMENT

With nothing further to discuss Cncl. Pres., Frank Caligiuri made a motion to adjourn the Ordinance Committee Meeting of October 3, 2012. The motion was seconded by Cncl. Daniel Teefy and unanimously approved by all members of Council in attendance.

Respectfully submitted,

  
Sharon Wright, RMC  
Deputy Clerk

  
Cncl. William Sebastian  
Presiding Officer

*These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of October 3, 2012 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.*

Approved as submitted \_\_\_\_\_ Date 11/8/12  
Approved as corrected \_\_\_\_\_ Date \_\_\_\_\_