

MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
DECEMBER 23, 2013

A.) OPENING CEREMONIES

CALL TO ORDER

The Regular Council Meeting of the Township of Monroe was called to order at approximately 7:00 PM by **Cncl. Pres., Daniel Teefy** in the Court Room 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, the Courier Post and the Sentinel of Gloucester County). A copy of that notice is posted on the bulletin board at the Municipal Complex.

Cncl. Pres., Daniel Teefy stated the Clerk has placed a sign-in sheet at the rear of the Court Room. If anyone would like to address Council during the Public Portion, please sign in and you will be asked to come forward to the microphone. Kindly state your name for the record.

SALUTE TO FLAG - INVOCATION

Cncl. Walter Bryson led the assembly in the Pledge of Allegiance to Our Flag and **Cncl. Garbowski** offered the Invocation.

ROLL CALL OF TOWNSHIP OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski	Present	
Cncl. William Sebastian	Present	
Cncl. Pres., Daniel Teefy	Present	
Mayor Michael Gabbianelli	Present	
Solicitor, Charles Fiore	Present	
Business Adm., Kevin Heydel	Present	
Engineer, Dave Cella	Present	
Dir. Finance, Jeff Coles		Excused
Dir. Of Code Enforcement, George Reitz	Present	
Dir. Of Public Safety, Jim Smart	Present	(Arrived 7:05 PM)
Dir. Of Public Works, Bob Avis	Present	
Township Clerk, Susan McCormick	Present	

APPROVAL OF MINUTES

Cncl. Garbowski made a motion to approve as submitted the minutes of the Council Work Session and Regular Council Meeting of December 9, 2013. The motion was seconded by **Cncl. Sebastian** and approved by all members of Council in attendance with the exception of **Cncl. Dilks** who Abstained.

B.) CORRESPONDENCE - None

C.) COUNCIL - MATTERS FOR DISCUSSION

Solicitor Fiore noted "*for the record*" that he provided the Mayor and Council with a confidential email that he received today from an attorney on behalf of one of the towers regarding the 2014 towing list. All towing facilities were inspected by Patrolman Burton on behalf of the Police Department and Director Smart recommended those individuals be placed

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on the towing list for 2014 and the list was approved at the council meeting two weeks ago under the correspondence portion of the meeting. This particular email points out what the attorney on behalf of his client believes are deficiencies that exist with five of the towers. Mr. Fiore indicated he was not prepared to report on the alleged deficiencies at this time as he would like an opportunity to review them. He advised he would report back to the Director, Mayor and Council and if something is founded Council may need to take action accordingly and hold a Special Meeting prior to the first of the year and the first week of the towing list. Mr. Fiore again noted the email is deemed to be confidential and privileged based upon the fact that it could lead to potential litigation. He requested no comments be made from anyone and that everyone refrain from emailing back and forth to one another, as that could constitute what is referred to as a "rolling email, which could be in violation of the Open Public Meetings Act. He noted the email was received at 1:42 PM today but because he was involved in another litigation case all day he did not get it until around 4:00 PM so in fairness to everyone, he wanted the opportunity to review everything in order to provide a confidential report.

Cncl. Pres., Teefy referred to Resolution R:215-2013 for Keystone Purchasing Network and Ordinance O:22-2013 that deals with lighting for Owens Park and requested questions from Council on those issues.

Cncl. Bryson indicated he had so many questions about the lighting replacement at Owens and the additional controls at Church Street that he and the other members of Council would like to have more time to evaluate this proposal. He felt there may be a more expedient way of correcting the newly revealed safety issues while offering the taxpayers more flexibility in the overall cost of this and any other proposal. He noted he had approximately twenty-five questions from the safety prospective of the children as well as the funding and he felt those questions should be addressed at a future meeting not at this time.

Cncl. Pres., Teefy noted it is on the agenda for this evening and he questioned Cncl. Bryson's concern for the children's public safety. Cncl. Bryson explained a bill dated April 2013 from the light bulb replacement contractor and a letter notifying of the condition of the Owens light poles was recently presented to Council. The letter stated there were problems since 2012 so why did it take so long to inform Council of this need so that Council has such a short time to take action. The solution is limited knowing that Parks and Rec funds are available but they were available from the first notification of the problem. He questioned whether Cncl. Pres., Teefy wanted him to address each question. Cncl. Pres., Teefy replied no that is fine and questioned the Business Administrator on why this was brought to Council at this time. **Mr. Heydel explained his** original email on Friday eluded to Coastal inspecting the lights but that email was before he actually had the documentation from Jim Bonder. Once he received the documentation from Jim he found it was not Coastal but Janney Electrical that replaced the bulbs in April. In regards to timing, we did not address it right away because Jim was exploring pricing around June/July of 2013. After getting the pricing he informed Mr. Heydel about the cooperative network the township could join and in September we requested to join the network. Mr. Heydel explained he waited for information from Keystone Network but that never came so he followed up on it in October and spoke to a girl who was supposed to send the information but it never came. In November he called again and once he found out what it took to join the network is when he brought the issue up. He noted he went through a purchasing network before with Toter but this is a different network so after he researched it is when he brought this issue up to Council in early December at the Ordinance Committee Meeting. Mr. Heydel explained Coastal was here last week and informed him that the contract pricing expires on February 28, 2014 so he indicated that he would see what he could do about getting a spending ordinance due to the time frame we were up against. He added any way we look at it we are up against a time frame whether we are doing it to accommodate football in the fall or baseball in the spring and that is the whole timing of what had happened.

Cncl. Bryson noted the fund can be utilized for this purchase but he expressed his concerns that \$400,000.00, 80% of the \$518,000.00 fund balance, will be used for this one particular project and that is a financial concern. Safety is more important but the financial side is just as important because once this fund is gone what happens if builders no longer

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contribute to it. Cncl. Bryson noted Mr. Heydel got bids from Musco and Keystone and those companies are basically the same giving the same lights and information because Keystone is a vendor of Musco. Mr. Heydel explained Keystone is a national cooperative that goes out and bids for a whole slew of products. Cncl. Bryson questioned whether they went out to any other companies besides Musco. Mr. Heydel explained they did but he was not aware of who responded to their bids. Cncl. Bryson noted he wanted to know because Council wants to spend money judiciously and follow New Jersey laws. He noted they probably follow State laws but if we went out to bid like on all other project we would have multiple bidders on this job, as there are multiple suppliers of those lights. In addition economically out of the \$400,000.00, \$200,000.00 is allocated for the materials and \$200,000.00 more allocated for taking down and disposing of the old lights and poles and installing the new ones. He noted the most labor intensive part of this is taking down, removing the old poles and installing the new poles. Mr. Heydel noted that is an estimate of what the whole project will cost but that doesn't necessarily mean we will spend \$200,000.00 because we are going out to bid for an electrical contractor to do the installation. We did get pricing from Musco as to what it would cost in total for equipment, the removal, disposal and installation. Cncl. Bryson stated the numbers on the Musco and Keystone quotes do not include disposal or installation they are just to deliver the product. Mr. Heydel replied that's right, that's all we are trying to get from them because we want to go out to bid for the installation so we get multiple electrical contractors bidding. Cncl. Bryson questioned whether Mr. Heydel checked into the Home Depot approach, which is to buy the materials and then get the labor, as that may be better and more economical and give better support if a contractor did the entire job. Mr. Heydel explained Musco was the only bidder on previous lighting project for the little league and softball fields and the Owens football field. They are the premier lighting company of athletic fields and are most likely the only one that will submit a bid on this project as well. Cncl. Bryson felt their track record is good, which is basically why Mr. Heydel went to them but in following the rules if there are other companies out there that make the same kind of products they should also be considered. Mr. Heydel explained what will happen is we are going to advertise the product and that we are part of the Keystone Network and people will be given the opportunity to come to the Clerk's Office to look at it and match it if they want. Cncl. Bryson questioned whether Mr. Heydel knew if Keystone is the lowest. Mr. Heydel replied Keystone is the only one that has a National Cooperative. Cncl. Bryson noted that is not what he asked; he asked if they were the lowest and Mr. Heydel does not know, he only knows that this is the way it was done in the past and the way he wants to do it now and that is not the normal way it is done. Mr. Heydel noted this is not necessarily the way it was done in the past, only one other time have we done a purchase through a National Cooperative. The pricing that was supplied is for purchases under the Keystone National Cooperative, which is \$26,000.00 less than what it would cost if we went out to bid and Musco won the bid. The reason for that is because Musco was awarded a contract under the National Cooperative accepting lower prices so that they get more people to purchase through that network like all other cooperatives for various products and services. Cncl. Bryson questioned whether Musco quoted list prices and how come they didn't quote the township a discount. Mr. Heydel explained they quoted what it would be if it went out to bid and what it is under the purchasing agreement that they signed with Keystone. Cncl. Bryson questioned why those poles were not replaced almost immediately as soon as the Administration was told the poles had holes in the middle. Mr. Heydel noted it is the whole lighting system, not just the poles. **Jim Bonder** explained Musco is "state of the art" field lighting and beat all other specs, warranties and guidelines. He referred to Cncl. Bryson's comments about going to Home Depot and noted if that was done it would never pass insurance inspections. Cncl. Bryson noted the way this is being done is like going to Home Depot to buy the product and then getting someone to take away the old product and then another person to install the new ones. Mr. Bonder noted there are professionals who for a living do sports lighting, everything at Owens is a Musco system. We have a system in place where we can turn our lights on or off to save and we really need to continue to tap into this system. Some of the other systems that we looked into such as CHN have some benefits that Musco doesn't have but it didn't fit into our system out there. **Cncl. Sebastian** noted while he is not opposed to spending Parks and Rec funds, he did have some questions regarding whether the failure of these poles is eminent, how the lighting contractor knows the poles have

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a hole down the middle and whether an engineer inspected them to say they need to be replaced now. He also questioned why all the lights are being replaced because if some are still good part of that \$400,000.00 could be spent for Parks and Rec in a better way. Council has not received any reports that the lights have failed just that the poles are deteriorating. **Jim Bonder** spoke of lights at Church Street and Owens actually falling off the poles and he shared pictures showing that. He explained seven or eight lights have been replaced at the two fields because they fell down during heavy winds and storms and thank God no one was hurt when they fell. With regards to just replacing bulbs and not the poles, this is a band aid approach. We have the funds so we should do it right because these lights are over thirty years old and some of the poles are leaning as much as fifteen degrees. This is just an accident away and it is a matter of pay now or pay later. We have been keeping an eye on this situation within the last year when Janney Electric recommended something be done because of the hollow poles. Within the last two years we did Church Street Major League Field first, the softball field next and now we are starting to address Owens. Cncl. Sebastian noted the lights appear to be failing because of rust and wear on the light attachment, not actually the pole but if we are going to replace the lights we should also replace the poles. He went on to explain that when Kevin requested this matter be placed on the agenda he had requested the backup information be forwarded to Council since there was no Work Session scheduled to discuss the matter. Kevin did forward to Council the data he had but none of that referred to the condition of the lights only the poles. Mr. Bonder noted with the improvements that have been made to Owens over the years that park is our state of the art facility, which we are very proud of so we need to be proactive rather than reactive in trying to maintain that facility. He noted he understands \$400,000.00 is a lot of money but if we try to piece meal this and do it ourselves we will open ourselves up to a lot of liability that no one wants especially when it involves children and several thousand people utilizing that facility on the weekends and that was not the case years ago.

Cncl. DiLucia noted he is not philosophically opposed to providing athletic facilities for kids and adults, as he was a football coach for both high school and semi-pro teams for about 25 years and he knows the difficulties of trying to get things. But, in wearing the hat of a Councilman he has the responsibility to the taxpayers and he wants to know before he votes in the affirmative that we are doing it because we absolutely have to, that there is not another way that we can do it and that there is not another way that will make it just as good for less money. He felt this matter should be tabled because in all fairness to Council more time is needed to review and vest the issue of spending \$400,000.00 of the taxpayer's money. He noted whether it is in a dedicated fund or not, if we spend that money and six months from now a catastrophic event happens we will have to find more money after we just raised taxes 9% last year. No one wants to see a re-run of that and there is no place to get additional money other than bonding or going into our reserves, which nobody wants to do. He noted he is concerned that this is now a legal issue because of the letter he was given today from Ronald Janney Electric Inc. that strongly recommended the replacement of the wooden poles being used for lighting on the baseball fields, as the poles are extremely rotted and could break and fall at any time. Cncl. DiLucia noted that letter was from April and now today, December 23rd he has a responsibility because he now knows that there is an eminent danger in this township or there may be due to these poles being rotten. He noted God forbid if someone gets killed, or injured because not only is the township legally responsible but he would also bear a personal responsibility as would everyone else that was made aware of this and had the authority and obligation to act proactively. Setting the financial situation aside, because that can always be worked out, the first thing he would ask if this matter is tabled that we get an engineer to perform an engineering study to give us a report about the overall condition of the poles. He indicated he didn't know much about wooden poles but normally they rot at the base of the poles or deterioration can be seen. If they come back and say 30% of the poles need to be replaced maybe Council will make a decision to maintain the lights that are adequate, to replace the bad poles with aluminum ones, consider additional back lighting where needed and consider the cost for better panels because then we would have a state of the art lighting system. He noted tonight he can say for the record that he would like to vote for the improvement of the facilities but can't agree to spend \$400,000.00 without having more information and without asking for an engineer to go to the park right away to inspect the poles and provide a report to

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Council on their condition and any eminent danger they may present. He expressed his concerns that there were a lot of people in that baseball field in April and went on to say how when he was a football coach a horrible situation occurred when a flagpole fell in a school yard and killed a child. The Catholic Church bore the responsibility for that incident but everyone was concerned about who was responsible for maintaining that flagpole, which the kids were exposed to. Cncl. DiLucia noted he has two issues with this; one is the safety issue that must be corrected irrespective of anything else. The other is are we going to spend \$400,000.00 or are we going to see if less is required. As a Councilperson he wants to be sure that if that amount of money is spent he can look the taxpayers in the eye to tell them we had to do it and the money was well spent. If an emergency comes in the future then we will have to deal with it but he did not think this is the kind of situation we want to be in. He noted he would not make a motion at this time because the resolution or ordinance is not yet before Council but when it is, if no other member of Council makes a motion to table he will. He will not make a motion to table and kill, the motion he will make is a motion to table pending investigation, more discussion and the engineering report. **Jim Bonder** noted there is a sense of urgency in that right now those fields are shut down until March 15th when they will be at full capacity again. We were trying to expedite this, we knew there might be some questions and hopefully we would be able to address them, as this is an issue of pay me now or pay me later. He urged Council to keep in mind that if we continue to drag this out into next year or next fall we will be looking at another 10% to 15% increase according to some of the manufacturers so \$400,000.00 will become \$440,000.00, \$460,000.00 or \$480,000.00 when we are pretty confident that in the future we are going to suggest investing in the Musco system again. Mr. Bonder noted he was hoping to move this forward but he understands and respects Council position and being judicial with \$400,000.00 because he does not spend money at Owens unless he has to.

Cncl. Pres., Teefy noted he wanted to clarify and make sure that Cncl. DiLucia and the rest of Council understood the money in the Developer's Trust Fund is not tax dollars. Cncl. DiLucia noted he begged to differ it is taxpayer's money, it does not matter how it got there it is taxpayer's money. That money got into that fund through negotiations with builders and was put there for Council to expend and use in the best way. It was not to be spent irresponsibly so now if Cncl. Teefy is suggesting that this money is not directly from tax dollars, that the taxpayers have no say in this and that it doesn't have an impact on them, God bless you, if that's what you believe. Cncl. Pres., Teefy noted he was trying to say that it was not a tax to the taxpayer because the way Cncl. DiLucia was describing it, is like it is coming out of their taxes but that money came from developers paying for each unit they sold. At this time Cncl. DiLucia interrupted saying he never said it came out of their taxes he said it was taxpayer money and went on to say he did not want to get into a semantic argument. Cncl. Pres., Teefy requested that Cncl. DiLucia not interrupt him while he was speaking and he utilized his gavel to quiet Cncl. DiLucia. Cncl. DiLucia replied he would interrupt him when he was out of order, as he was not going to be shut up no matter how hard he (*Cncl. Teefy*) hit the gavel. He went on to say that he did not say that the taxpayers put money into that fund; he said this is taxpayers money and there is a difference so do not argue semantics. Cncl. Pres., Teefy responded so if we have a catastrophic event can we draw money upon that fund. **Solicitor Fiore** advised yes for Parks and Rec if you follow all the proper procedures. **Mayor Gabbianelli** requested to speak. He noted in 2003 he became mayor and the first thing that was done was to establish a separate fund for the builder's fund. Prior to that the Council did not raise taxes for many years but did nothing to improve our parks. Everyone knows that because Owens Park was started in 1977 but we finished it in two or three years when those funds were dedicated and put into a fund strictly for Parks and Rec. What happened prior to that was that money, which might have been \$300,000.00 or \$200,000.00 was taken and placed in the General Fund every year as opposed to raising taxes a penny or two. We left it and have been very fortunate to accomplish what we have with our parks and rec and there is no question Owens is a state of the art facility. We built the Duffy Fields with that money and we have increased and changed the lighting at the Church Street fields. The Parks and Rec Commission votes on spending the money and then it comes to Council for their final vote and no money is spent without both organizations saying yes, no one had the ultimate hammer. The Mayor noted he didn't know whether they found out in March, April or May about this but it is a situation that

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must be handled and the money is in a dedicated fund for Parks and Rec. The Mayor agreed the money is taxpayer dollars because any dollar the township has is a taxpayer dollar and there is no question about that whether it came directly from taxes or whether it came from a fine from a red light ticket, it is still taxpayer dollars. He noted Council can argue all they want but what has to be has to be. **Solicitor Fiore** requested to speak. He explained procedurally there are two agenda items this evening; the first is R:215-2013, which is a resolution to join the cooperative. By joining the cooperative no money is expended it just gives that ability in the future. The resolution only deals with becoming part of the cooperative, it does not commit the township to purchase lights or purchase through Musco to be part of the cooperative, it just gives the authority to do it. The second part is the spending ordinance, which is the mechanism to spend the money, which is in a dedicated fund that was created some time ago from developer's funds. The only way it is spent is with the recommendation of the Parks and Rec Commission and with the approval of Council through the regular ordinance process. The Mayor questioned Mr. Fiore on how it was done in the past. Mr. Fiore explained the way the ordinance is written and the way the law allows it, depends upon who is administering the fund. It was interpreted in the past prior to 2003 that it could be used for maintenance of the parks and now during the Mayor's term it has been used for capital improvements. So, it is an ordinance that ultimately comes back to Council to decide how the money is spent. Mayor Gabbianelli added some of the money is still used for maintenance and cutting the grass. The Business Administrator advised maintenance comes from the basin maintenance. Solicitor Fiore went on to say the dedicated fund can also be utilized to purchase equipment. Mr. Bonder requested Council approve the resolution so he can continue to gather information knowing that nothing will be expended at this time. He noted he would like to keep this moving forward because on April 1st there will be several thousand people in the park and if we are not open for business they will be disappointed. He added he is not trying to push it but just keep it moving forward with confidence that Musco will be selected as our vendor. If that is not the case then the process will be slowed down.

Cncl. Garbowski noted before he can support this he wanted a professional engineer to go out to Owens and investigate what is going on with the poles because if Council decides to do anything an engineer needs to design foundations for the light poles and we need to see if the electrical service out there can support additional lighting. Jim Bonder advised Musco is the premier lighting company in the world and that is what they do. Cncl. Garbowski questioned whether they have an engineer on staff that can sign and seal the drawings for the township. Mr. Bonder replied to the best of his knowledge, yes, as everything from the illumination on must meet code and liability standards. That is what we did on the previous two fields and will continue to do and any information Council wants he will get for them.

Cncl. Pres., Teefy explained only First Reading is tonight. The ordinance does not go into effect until after the Second Reading at which time it is open to the public. There is time for the engineer to investigate and time for further discussion at the next Ordinance Meeting and it can be pulled prior to Second Reading.

Cncl. Bryson noted wooden poles last 25 to 30 years but the ones being considered are 60 to 70 feet stainless steel poles that are imbedded in concrete. He questioned whether anything was said about lightening strikes and whether anything will go into the electrical system to arrest lighting strikes since stainless steel poles attract lightning more than wooden ones. **Mr. Bonder** noted they didn't say anything about that but they are the premier lighting company in the world handling as much as 85% of stadiums for professional and college organizations as well as municipalities because they are the best. Mr. Bonder explained he has looked into other systems such as CHM, which bought General Electric. At one point that looked like it might be a good fit for us because with that system the lights can actually be lowered to eye level to change the bulbs. However, by the same token there is liability lowering and altering lights that are already preset to meet code so those lights did not meet everything we wanted with respect to responsibility and the liability issues of today. He noted the game has changed from when all of us were younger and played on sand lined ball fields. There were no liability issues then but everything today is driven by liability so the premier company is being brought before council to continue to build and support our state of the art facility at

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Owens. Cncl. Bryson questioned who Cncl. Pres., Teefy would like him to give his questions to. Cncl. Pres., Teefy requested the questions be given to the Business Administrator.

Cncl. Caligiuri noted the ordinance is for first reading and since ordinances are not scheduled for Second Reading at the Reorganization Meeting this would be addressed at the subsequent meeting at the end of January. During that interim period of time we could ask Mr. Bonder to substantiate the pricing and do some research prior to the Second Reading when it can be approved or rejected but if we do not pass it for First Reading now we are holding it up a whole month.

Business Administrator, Kevin Heydel explained he asked for First Reading this evening and a Special Council Meeting prior to the Ordinance Meeting on January 8th to hold Second Reading since another meeting is not scheduled until the end of January, as there is a four week delivery period for the lights plus he is trying to get the installers in by March so we can have the lights in by April 15th.

Cncl. Caligiuri questioned whether Mr. Cella felt an engineering study could be done prior to the Special Meeting on the 8th. Mr. Cella replied yes, noting that he can't say he disagrees with the position taken. He added he has not looked at the poles himself but the approach seems to be correct and he understands how quick this has come up.

Cncl. DiLucia noted if the integrity of those poles are shot than there should be no activities at all on those fields and he does not want his comments to be misinterpreted. There is an issue of spending a minimum of \$400,000.00 of taxpayer money and Council has a responsibility to do that to the best of their ability to get the most bang for the buck. He requested an engineering study to make sure the poles need to be replaced because if they are good or if only a low percentage is bad Council will have a different kind of discussion. We will not be sitting here saying let's spend the \$400,000.00; no we will be trying to get it done for a \$100,000.00 and will be considering installing some additional lighting on the softball fields or an energy efficient box that turns the lights on and off. He noted as a Councilman when he votes on every issue to spend money he wants to be sure he knows all the issues, the ups, the downs the variables just as he does when spending his own money and will go on the record as saying he will vote to table and have the discussion go forward and still have time to do something. If there is not a vote to table, he will vote against it and hopefully people will not take it that he is against the kids because he is an advocate for sports and kids but he is also an advocate for the people who elected him. Cncl. DiLucia noted one thing he and other council members have asked for in this town and cannot get is a dog park. Many residents want one and that would fall under Parks and Rec and cost much less than \$400,000.00. Those people who want a dog park want it just as much as others who want a baseball field and Council needs to look at and balance where money is spent so when the vote comes he will vote his conscience.

Cncl. Sebastian pointed out for clarification that the Solicitor said the resolution to join the consortium has nothing to do with spending \$400,000.00 so he has no problem voting that because we may or may not use it. As far as the ordinance is concerned this is only First Reading; Second Reading will be held in January 2014. He noted it was mentioned that if it goes into 2014 there could be a 10% to 15% increase and he assumed that Kevin already considered the fact that we will be dealing with 2014 dollars. **Jim Bonder** clarified his comments explaining that he was talking about if Council tabled this until the fall. Cncl. Sebastian noted the Solicitor had prefaced the beginning of this meeting by saying we may need to schedule a special meeting between Christmas and New Years to deal with possible litigation regarding towing so he did not see why the new Council President would be opposed to having a special meeting towards the end of January for the Second Reading. Mr. Heydel noted if Council wants additional information he will go to Coastal Electric or another company because ARH is not going to be able to get to the top of the poles. The company who wrote the reports said the top of the poles that hold the lights are what is rotted, not the bottom at the ground. He noted we will request an analysis be done, pictures of the poles and a report for Council and that will probably cost \$2,000.00 or \$3,000.00. Cncl. Sebastian noted the point he was trying to

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C.) COUNCIL - MATTERS FOR DISCUSSION (cont'd)

make is Council could give the Administration the additional time to get those reports rather than holding a special meeting on January 8th. Mr. Heydel noted he would try to get a report by that time. Cncl. Sebastian felt the engineer could do an evaluation and certify whether the poles are good for a period of time or whether they should come down. Jim Bonder added they will also find out those poles were put in 30 years ago and do not meet today's code. Cncl. Sebastian explained no money can be expended until after Second Reading whenever that may occur or may never occur because Council may either remove the ordinance from the agenda or vote negative. Cncl. Pres., Teefy explained if this money is utilized the Parks and Rec Fund will be reduced to approximately \$118,000.00. Mr. Heydel explained \$85,000.00 was spent from that fund last year and \$65,000.00 the year before but \$100,000.00 was replaced this year alone and from a Planning Board standpoint he did not know what was still in the pipeline. Cncl. Pres., Teefy advised the Planning Board just did two approvals. In the past the law allowed developers to contribute \$2,500.00 per unit to the Parks and Rec fund and that fund grew so we were able to build Owens Park and Senner Fields with that. The Builder's League challenged the law and it has now been removed from everywhere except in the Pineland areas where developers can still be required to pay those fees. The Planning Board recently approved a 92 home development on Whitehall Road at \$1,500.00 per unit, which amounts to about \$140,000.00 going into that fund. Mr. Heydel noted there are also apartments going up between Tuckahoe Road and Main Street. Cncl. Teefy noted they are outside the Pineland area but a member of the Planning Board asked if the developer would like to contribute to the fund and he said yes and will contribute so that will increase the fund another \$300,000.00 to \$400,000.00 bringing the balance back up to \$500,000.00. Those contributions will help but that fund will never grow like it did in previous years. The Township Clerk explained procedurally if First Reading is held now Second Reading is scheduled, will be advertised and take place on January 8, 2014. If the date for Second Reading is going to be changed we need to know about that because the date needs to be re-advertised. Cncl. Caligiuri questioned Solicitor Fiore on whether the ordinance could be tabled on January 8th. Mr. Fiore replied that is correct.

Cncl. Marvin Dilks noted there are a couple of issues with this; one is the safety aspect of it and the other is the time table to get it done before baseball season begins because if we miss that there is no way to get them done before football season starts. He questioned if that was the case would we be short on practice fields. Jim Bonder noted he has updated and advised the baseball organization that two to three weeks of practice time will be missed as it is now and anything after April 1st is when the games start on the Senior Field. They do understand that we are doing the best we can and they are looking forward to the improvements and are willing to push their schedules back a little to accommodate our installation. The way we have looked at the installation is during perfect conditions but if we get a bad winter the installation will be pushed back to mid April and possibly even into May, which is why this is being expedited. Cncl. Dilks felt this is the time to get that bid packet together as many contractors are out of work so we could get a better price now. There are even businesses in town that could bid on this job so whatever we can do to get this in motion should be done. We have always prided ourselves on making the township facilities better and with the lights in that condition they need to be updated and now is the right time to do it.

Business Administrator, Kevin Heydel questioned Mr. Bonder on the number of light bulbs that have been replaced this year. Mr. Bonder advised on the Senior Field approximately 19 and on the Softball Field another 7 or 8 so about 25 on two fields. He added we do not have the ability to change those bulbs because it requires a sports lighting bucket truck not a standard bucket truck so we are spending money for that. For a number of years we have been doing a lot of band aids so even if we start replacing some poles we are not going to meet code and liabilities. Cncl. Dilks noted that is not fixing the problems that he wants fixed. Mr. Bonder extended his appreciation to the members of Council for all of their support.

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D.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

Cncl. Garbowski made a motion to open the Resolutions Scheduled-Public Portion. The motion was seconded by **Cncl. Sebastian** and unanimously approved by all members of Council. With no one from the public wishing to speak **Cncl. Garbowski** made a motion to close the Resolutions Scheduled-Public Portion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

R:212-2013 Resolution And Notice Of Council Work Sessions, Regular Council Meetings And Ordinance Committee Meetings Of The Township Of Monroe For The Year 2014

Cncl. Sebastian made a motion to approve Resolution R:212-2013. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

R:213-2013 Resolution Adjusting Township Of Monroe Tax Records

Cncl. Garbowski made a motion to approve Resolution R:213-2013. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

R:214-2013 Resolution Of The Township Council Of The Township Of Monroe Transferring Funds For The Budget Year 2013

Cncl. Dilks made a motion to approve Resolution R:214-2013. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

R:215-2013 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Township Of Monroe To Join The Keystone Purchasing Network

Cncl. Bryson made a motion to Table Resolution R:215-2013 until the next meeting. The motion was seconded by **Cncl. DiLucia**.

**ROLL CALL ON MOTION TO TABLE RESOLUTION R:215-2013
2 AYES (Bryson, DiLucia), 5 NAYS (Caligiuri, Dilks, Garbowski, Sebastian, Teefy)**

Tally: 2 Ayes, 5 Nays, 0 Abstain, 0 Absent Motion to Table did not carry.

Cncl. Sebastian made a motion to approve Resolution R:215-2013. The motion was seconded by **Cncl. Dilks**.

**ROLL CALL VOTE TO APPROVE RESOLUTION R:215-2013
5 AYES, 2 NAYS (Bryson, DiLucia)**

Tally: 5 Ayes, 2 Nays, 0 Abstain, 0 Absent. Resolution R:215-2013 was duly approved for adoption.

R:216-2013 Resolution Approving The Bill List For The Council Meeting Of December 23, 2013

Cncl. Dilks made a motion to approve Resolution R:216-2013. The motion was seconded by **Cncl. Caligiuri** and unanimously approved by all members of Council.

R:217-2013 Resolution Of The Township Council Of The Township Of Monroe Awarding Contract To DM Medical Billings For Emergency Medical Billing Services

Cncl. Bryson made a motion to approve Resolution R:217-2013. The motion was seconded by **Cncl. Sebastian** and unanimously approved by all members of Council.

Business Administrator, Kevin Heydel advised we were paying 7¼% but they lowered their cost and this contract is at 6½%.

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D.) RESOLUTIONS SCHEDULED - PUBLIC PORTION (cont'd)

R:218-2013 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Extension Of A Contract For Services To Be Provided By GranTurk Equipment Co., Inc. For The Year 2014

Cncl. Sebastian made a motion to approve Resolution R:218-2013. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

E.) ORDINANCES

At this time **Cncl. Pres., Teefy** turned this portion of the meeting over to **Ordinance Chairman, Cncl. Sebastian**. **Cncl. Caligiuri** made a motion to open the Public Hearing for Ordinances O:20-2013 and O:21-2013. The motion was seconded by **Cncl. Garbowski** and approved by all members of Council. With no one wishing to speak **Cncl. Dilks** made a motion to close the Public Hearing. The motion was seconded by **Cncl. Pres., Teefy** and unanimously approved by all members of Council.

O:20-2013 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 267 Of The Code Of The Township Of Monroe, Entitled "Vehicles And Traffic"

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Garbowski made a motion to approve Ordinance O:20-2013 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Dilks**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:20-2013 - ALL AYES

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent. Ordinance O:20-2013 was duly approved for Second Reading and Public Hearing.

O:21-2013 Bond Ordinance Providing For The Purchase And Installation Of Security Systems In Municipal Owned Buildings By The Township Of Monroe, County Of Gloucester, State Of New Jersey Appropriating The Sum Of \$40,000.00

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Pres., Teefy made a motion to approve Ordinance O:21-2013 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

O:22-2013 An Ordinance Of The Township Council Of The Township Of Monroe Appropriating A Sum Not To Exceed \$400,000.00 For The Purchase And Installation Of Lighting And Other Parks And Recreation Facility Improvements

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Bryson made a motion to Table Ordinance O:22-2013 due to the cost associated with the Ordinance is not complete. **Cncl. DiLucia** seconded the motion.

ROLL CALL VOTE ON MOTION TO TABLE ORDINANCE O:22-2013

3 AYES (Bryson, DiLucia, Sebastian), 4 NAYS (Caligiuri, Dilks, Garbowski, Teefy)
(When voting **Cncl. Caligiuri** noted he would say no only because Council can Table it when it comes up for Second Reading. **Cncl. Dilks** indicated he was voting no for the same reason)

Tally: 3 Ayes, 4 Nays, 0 Abstain, 0 Absent. Motion to Table did not carry.

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E.) ORDINANCES

Cncl. Dilks made a motion to approve Ordinance O:22-2013 for First Reading and Publication. The motion was seconded by Cncl. Pres., Teefy.

**ROLL CALL VOTE TO APPROVE ORDINANCE O:22-2013 FOR FIRST
READING AND PUBLICATION**

3 AYES (Caligiuri, Dilks, Teefy) 4 NAYS (Bryson, DiLucia, Garbowski, Sebastian)

Tally: 3 Ayes, 4 Nays, 0 Abstain, 0 Absent. Motion to approve for First Reading and Publication did not carry.

Solicitor Fiore explained if Council wants to bring this ordinance up again First Reading could be held at the next meeting. Council questioned the vote and it was explained five votes were needed to approve the ordinance.

F.) REPORTS AND OTHER MATTERS

Cncl. Bryson extended best wishes for a Merry Christmas, a Happy New Year and Happy Holidays to everyone. He spoke of the Oasis Animal Sanctuary, a no kill organization that tries to find homes for animals and noted they are in need of a used van, wool shavings for horse bedding, salt blocks for the horses, individual doses of Revolution for cats, stand alone metal or plastic shelving, postage stamps, number ten envelopes, gasoline gift cards and staples gift cards. Cncl. Bryson noted this organization does a wonderful job taking care and fostering animals and they can be contacted at 856-262-1222 or faxed at 856-740-0156. He again extended holiday greetings and thanked everyone for letting him serve again this year.

Cncl. Caligiuri noted by the time this meeting airs the holidays will be over but he extended greetings for a Happy and Healthy New Year. He reported attending the Environmental Commission Meeting on Monday, December 12th where the relationship between the Middle School Environmental Club and the Environmental Commission was discussed. Other issues discussed was Crystal Lake will be seeking approval from Council in 2014 for the MMUA to fund an infrastructural expansion to replace failing septic systems and the infestation of Southern Pine Beetles. Information on that can be found at www.southernpinebeetle.nj.gov. Cncl. Caligiuri reported on December 17th he attended the Zoning Board Meeting but there was nothing to report on that. He also spoke of the email he sent on December 12, 2012 to Mr. Gerry White requesting information on a proposed communications tower that was to be located in the southern part of Monroe Township. He noted he still has not received a response from the Deputy Administrator of Gloucester County and that gives rise to the question about shared services, which are generally a good idea because you get to share the expense of services with other townships. In most cases that is good but his particular experience with officials from Gloucester County has not been good. The Freeholders are well aware that he has been bringing this issue up at every meeting for the last year and he pointed out that no one has reacted to that so he will wait patiently for a response from Mr. White.

Cncl. Dilks extended holiday wishes for a Merry Christmas and a Happy New Year. He also extended his appreciation to Cncl. Pres., Teefy, Cncl. Vice-Pres. Garbowski, Ordinance Chairman Cncl. Sebastian, the Clerk's Office, Administration and the Mayor for doing a fine job this year.

Cncl. DiLucia noted this is a wonderful time of year when families get together to celebrate the holidays and we should enjoy it, as we tend to forget about our problems and remember people who were close to us but are no longer here. He extended his appreciation to Cncl. Pres., Teefy for his year of chairmanship, Cncl. Sebastian for his efforts on the Ordinance Committee and extended holiday wishes to all members of Council, the Mayor, the employees in attendance and the Clerk and her staff that give Council the help and service that they require.

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F.) REPORTS AND OTHER MATTERS (cont'd)

Cncl. Garbowski thanked the volunteers and municipal employees for a job well done this year. He noted they had a tough time this year with flooding and snow removal and they did an outstanding job. He also thanked the residents of Monroe Township for allowing him to serve as councilman and extended best wishes for a Merry Christmas and a Happy, Fruitful and Healthy New Year. He also thanked his fellow Council members, the Clerk's Office and the Mayor for a very successful year.

Cncl. Sebastian also extended best wishes for a Merry Christmas and a Happy New Year. He thanked the volunteers for all the work they do and went on to say how Squad 2904 put three crews on overnight to cover Washington Township over the weekend. Within an hour they had ten calls and made all calls. He noted the Public Safety Director just left because he had two calls, one for a dwelling fire and one for an alarm system so everyone is active during this time of year and he thanked the volunteers for their support. Cncl. Sebastian reported attending the Economic Development Commission Meeting and noted they are working on a plan for 2014 which will be given to the Council prior to the Reorganization Meeting on January 6, 2014.

Mayor Gabbianelli reported attending the Library Board Holiday Dinner on December 5th and the Tree Lighting Ceremony on December 6th where he was lucky enough to have a conversation with Santa Claus before the kids got there. The Mayor commended the Parks and Recreation Commission/Department for doing a great job and noted there was a tremendous turnout. He reported visiting Mrs. Hailey's third grade class at Radix Elementary School, which is studying local civics and noted he enjoyed answering their questions. He also reported celebrating his grandchildren's 6th birthday on December 18th and thanked all members of Council, the employees and the volunteers for their hard work. He also extended holiday wishes for a Merry Christmas and a safe and happy New Year.

Solicitor Fiore extended Christmas and New Year wishes and noted this is his 19th year as Solicitor and from an attorney's standpoint he is blessed. This has been a unique experience as he deals with a multitude and diversity of issues and personalities and the end result is, however far apart everybody is, it always seems to work. He noted in the spirit of cooperation Merry Christmas, Happy New Year and God Bless everyone.

Business Administrator, Kevin Heydel wished everyone a Merry Christmas and noted it is a pleasure serving the Mayor, the Council and the residents of this wonderful township. This is never an easy job but we do the best we can. We don't always agree on everything but at the end of the day we all strive to get along and do the best for our residents and it is a pleasure serving in this position. Thank you.

Engineer, Dave Cella extended wishes for a Merry Christmas and a Happy, Healthy New Year.

Director of Public Works, Bob Avis also extended best wishes for a Merry Christmas and a Happy New Year.

Cncl. Pres., Teefy reported attending the Tree Lighting Ceremony and noted he didn't know that the Mayor jumped in front of the kids to talk to Santa but we will know on Wednesday morning if he got what he asked for. He commended the Parks and Rec Commission for doing a great job in putting the Tree Lighting Ceremony together and noted there were well over 270 kids that took pictures with Santa. More people attended this year but with a larger tent and the way the room was set up it didn't seem as crowded as last year. He noted he volunteered along with his nephew and spent most of the night handing out popcorn. Cncl. Pres., Teefy also reported attending a fund raiser for Jim Bonder, who is going through some medical issues. Over 400 people attended and Jim had some inspirational words for everyone and it was more about him trying to help others instead of us helping him and that's the way Jim Bonder is. Cncl. Pres., Teefy thanked Sue McCormick and the Clerk's Office for the work they do for Council; noting this is his second term as Council President and technology has come much further. In the past he had to come to the Clerk's Office to get copies of the agenda and resolutions but now email is being utilized, which makes

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F.) REPORTS AND OTHER MATTERS (cont'd)

communication much easier. He thanked his fellow Councilmen for their support over the past year and noted he is moving into his 12th year as a councilman in 2014 and is looking forward to that. Next year is an election year so it will be an interesting year. He noted the Reorganization Meeting will be held on January 6, 2014 and he wished the new Council President luck in moving forward. He extended Christmas and New Year wishes and noted hopefully the economy keeps turning around and the stock market, which has been going crazy will not fall, as that is a good sign our economy is turning around.

G.) GENERAL PUBLIC DISCUSSION

Cncl. Caligiuri made a motion to open the General Public Discussion. The motion was seconded by Cncl. Bryson and unanimously approved by all members of Council.

John Daraklis, 149 Lindale Avenue wished everyone a prosperous New Year. He went on to say the way Cncl. Pres., Teefy raised his voice and banged the gavel was disrespectful and totally inappropriate to his fellow councilman and was on the verge of being unprofessional. Cncl. Pres., Teefy explained as Council President he allowed each person time to speak and when it was his turn to speak he asked for that same kind of respect. When he kept getting talked over he used the gavel but it didn't stop so he threw it down and let him continue. Mr. Daraklis noted he did not mean any disrespect or want Cncl. Pres., Teefy to take it personally but what he saw here was a little uncalled for. Cncl. Pres., Teefy thanked Mr. Daraklis for his comments.

H.) ADJOURNMENT

With nothing further to discuss Cncl. Dilks made a motion to adjourn the Regular Council Meeting of December 23, 2013. The motion was seconded by Cncl. Garbowski and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Susan McCormick, RMC
Township Clerk


Presiding Officer

These minutes were prepared from excerpts of the tape-recorded proceedings of the Regular Council Meeting of December 23, 2013 and serve as only a synopsis of the proceedings. 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 12/7/14
Date _____