

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
JANUARY 27, 2014**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Ronald Garbowski** at approximately **7:00 PM** in the Conference Room on the first floor of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

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

SALUTE TO OUR FLAG – **Solicitor Charles Fiore** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Richard DiLucia	Present	
Cncl. Ronald Garbowski	Present	
Cncl. William Sebastian	Present	
Cncl. Daniel Teefy	Present	(Arrived 7:08PM)
Cncl. Pres., Ronald Garbowski	Present	
Mayor, Michael Gabbianelli	Present	
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Engineer, Dave Cella, ARH	Present	
Dir. of Finance, Jeff Coles		Excused
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz	Present	
Dir. Of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Junkyard License**

Director of Code Enforcement, George Reitz reported on the status of the application submitted by Williamstown Auto and Truck Salvage (*previously Patriot*). Mr. Reitz advised that he inspected the yard and everything was found in order and ready to go. The formal approval to issue a Junkyard License for Williamstown Auto & Truck Salvage will be heard at the regular council meeting, under the Correspondence section of the agenda.

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B.) MATTERS FOR DISCUSSION (cont'd)

• **Stockton Run Subdivision**

Solicitor, Charles Fiore advised this matter had to do with a subdivision that has been complete for quite some time. There is only one remaining bond left and actually the developer asked to be released from the bond back in 2007, Ray Jordan was the CONFLICT engineer who inspected the project as ARH was conflicted out. He continued and noted most of the items were fixed/repared by the developer, there are only a few remaining items and they are set forth in the letters generated back and forth and copied to council. Mr. Fiore advised a meeting took place sometime ago with himself, Ray Jordan, the attorney for the developer as well as a representative for the developer and it was suggested they would pay the township \$4,000.00 to do the work, if in fact, public works was able to do such work. He continued and noted the remaining work consists of paving, concrete slabs, and sealing cracks in the street. Mr. Jordan was to contact Director of Public Works, Bob Avis to see if this was feasible. Mayor Gabbianelli then interjected and commented that he requested Mike Calvello to be in attendance on this matter as he really wanted his input. At this time, Council President, Garbowski moved on to the next matter for discussion until Mr. Calvello arrived.

• **Violet Ave - Block 9506, Lot 11**

Solicitor, Charles Fiore noted a request was received from a homeowner regarding a property along Violet Avenue. It is an undersized lot where there was a house located at one point in time however, since then the house was raised. A representative of the homeowner was looking into selling the property, even to the adjacent property owners but to no avail. Apparently, when the property was torn down they removed the foundation. Perhaps, if the foundation was kept intact they may have been able to rebuild since it is located in the Pinelands and probably in the wetlands, if they had the existing foundation they still would have been able to save the building (*if you will*). The letter indicates they can't pay taxes and they want to be able to donate it to the township. Mr. Fiore noted it was referenced in the letter that someone suggested to simply stop paying taxes on the land. Mr. Fiore explained the only problem with having someone turn the property over to the township; it may become somewhat pandemic because many people are having difficulty paying taxes. Other then the land being donated or the township foreclosing on it at some point in time there is no other remedy. Mr. Fiore then questioned what his instructions were in corresponding back with the person. There was discussion with the Mayor posing the question, what is the most economical way for us to proceed. The solicitor indicated, to donate it. **Cncl. Marvin Dilks** questioned the solicitor on if this was setting a precedent. Mr. Fiore suggested taking it on a case-by-case basis; if it is an isolated lot in the middle of nowhere then maybe it is a good idea. It was the consensus of council to donate the land; the solicitor will correspond with the individual.

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B.) MATTERS FOR DISCUSSION (cont'd)

• **Blue Bell Farms – Sign Variance, Block 120.0201, Lot 54**

Solicitor, Charles Fiore explained Blue Bell Farms is a subdivision approved a long time ago, the original Resolution of Approval dates back to 1988. He went on to note one of his first duties as the Township Solicitor was dealing with litigation involving the performance bond for Blue Bell Farms. He then explained the managing agent for Blue Bell Farms HOA had inquired about placing an entrance sign at the intersection of Ames Road and Corkery Lane, thinking that the association owned that particular lot. A zoning permit was applied for and Mr. Weikel pulled the deed to find that indeed the Township of Monroe is the owner of the property. A response from the representative was that they have been cutting the grass/maintenance over the last ten years and if the township decides the sign cannot be erected could they reimburse the Association for the fees associated with this. Mr. Fiore noted he looked at when the property was transferred to the township. The transfer took place May 26, 2000, the transfer was consistent with the subdivision approvals and as per the approval, they were to transfer to the town. If the representative were to push the issue, there is an issue as to "notice" to the town. Mr. Fiore continued and advised a review of his records indicates that the township was not notified, adding it was transferred without "notice" to the township. They continued to maintain the basin which is a huge basin as to the depth and probably would not come close to conforming to today's storm water management regulations. Mr. Fiore explained that clearly, in the future, it will be our obligation to maintain that corner lot and the basin. He then referred to a portion of the letter sent from Pinnacle Realty Services dated December 10, 2013 where there was a request for reimbursement of maintenance costs if the township decides not to allow the signage. The Mayor then noted to let them place the sign at the location and the township will then give them the property. The solicitor noted we can offer that to them, however they will have to maintain the basin. The property will be conveyed to the them, just like every other HOA since 2002.

• **Stockton Run Subdivision**

At this time, Mike Calvello arrived and Mr. Fiore questioned if he had an opportunity to go over the information /punch list items regarding the subdivision. He advised he did not receive the information. Mr. Fiore noted in fairness to Mr. Calvello what he could do was to make copies of all the documents and have them delivered to him for his review. He noted there has been an offer by the developer to give the township money in lieu of them performing the remedial work remaining. The information will be forwarded and this matter will be addressed again at the next work session.

At this time, Cncl. Walter Bryson took the opportunity to acknowledge Matthew Graesser, who is in the process of working toward his Eagle Scout recognition. He was in attendance as he was working on a merit badge. Matthew was acknowledged with a round of applause. He then noted his project was to renovate a baseball field for an underserved area for a local boys and girls club.

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C.) PUBLIC PORTION

Cncl. Walter Bryson made a motion to open the Public Portion. The motion was seconded by Cncl. William Sebastian and unanimously approved by all members of Council in attendance. With no one wishing to address council members Cncl. William Sebastian made a motion to close the Public Portion. The motion was seconded by Cncl. Marvin Dilks and unanimously approved by all members of Council in attendance.

D.) NEW BUSINESS - None

E.) OLD BUSINESS

Cncl. Pres., Garbowski questioned the Mayor on the status of the landfill (*Sicklerville Road*). The Mayor responded that we are doing what we have to do according to the DEP. He added there are no records dating back to the 1980's so whatever we have to do will be done as far as quality control. Cncl. Pres., Garbowski questioned if Land Resources had completed the work to be done on their part. Mayor Gabbianelli indicated, no, they were not because they did not have the cooperation of the property owner of a parcel located across the street from the landfill. However, supposedly we now will have access to the property. The solicitor stressed we must continue to do the yearly testing. Trevan Houser of Land Resources will be contacted to give an update on the matter.

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. William Sebastian questioned Resolution R:32-2014 (*Resolution Of The Township Council Of The Township Of Monroe Authorizing The Donation Of A 2004 Maroon Chevy Impala Sedan*) as he was somewhat confused with the wording. One paragraph indicates it as being *auctioned* where another indicates that the township is *donating* the vehicle. Mr. Fiore noted there was an error in the wording; it is being *donated*. He will have the verbiage corrected. The solicitor then explained this was part of a criminal investigation, the van was stolen and totaled, apparently she has children that are handicapped and did not have the ability to replace the van. The van was obtained through a forfeiture and it was the recommendation of the police department as they felt it was a humanitarian gesture to donate this vehicle. The correction will be read into the record prior to R:32-2014 being approved.

Cncl. Walter Bryson questioned Resolution R:42-2014 (*Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute The Notice Of Approval Letter For The Former ATS Property For The Hazardous Discharge Site Remediation Fund Grant From The New Jersey Department Of Environmental Protection*). Business Administrator, Kevin Heydel advised that we applied for a second remedial investigation and it was just approved, so this is the second grant for that site.

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H.) QUESTIONS REGARDING ORDINANCES SCHEDULED

Cncl. Richard DiLucia posed a question with regard to O:01-2014 (*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*) scheduled for first reading. He inquired if the Business Administrator had any implicit numbers on that project. The prior information provided was for the lights and the delivery of the lights, after the discount through the consortium in the amount of \$199,000.00. Cncl. DiLucia then noted there is no cost associated with the removal, disposal or installation. **Mr. Heydel** explained that he did report that the estimates that came in for the disposal was for \$12,000.00. He also reported at the last meeting that the estimates are about \$150,000.00 based upon just what we can see. The issue we don't know is that this bid is going to be "design build" and we don't know when we get in there as to whether or not we have to upgrade the service. If so, this will add to that \$150,000.00 figure plus the \$12,000.00, which is about \$162,000.00 leaving a balance of approximately \$40,000.00 which if we have to upgrade the service it is going to eat into that. **Cncl. DiLucia** spoke of another issue, that being whether the footing is going to be adequate. He could not understand why we can't get some company to come down and give us a price. He understood we would be buying the lights from one entity with the disposal being done by another. Cncl. DiLucia noted one of the things that troubled him whoever went over and did the survey on whether those poles were safe or unsafe, if you notice with their billing, they charged us \$90.00 per hour for two (2) mechanics for two (2) days. Were they really there for two (2) days? **Mr. Heydel** responded, that yes they were. There continued discussion on the billings with Cncl. DiLucia indicating he was speaking of the most recent bill, where it was \$1,000.00 for the lift truck and \$90.00 per hour for eight hours for two mechanics. **Mr. Heydel** explained that is a different bill, to change lights, etc. back in April, 2013. Cncl. DiLucia then questioned what we paid this time. **Mr. Heydel** noted we paid \$3,000.00 because you asked for an inspection of everything and that is what we have done. We got an inspection done on every pole and that took two days to complete. **Mr. Heydel** then went on to speak on the estimates he received so far, one was from Musco for disposal and installation and another one from Coastal Electric so that is now two companies that basically gave me the same estimate. He also referred to an email message received from Jim Bonder indicating that he attempted to go to another company and they are not coming in because they know they can't beat Musco. Discussion continued. **Mr. Heydel** explained he has already received estimates; the next step would be to put the project out to bid however, he cannot go out to bid until he gets a spending ordinance in place (*Ordinance O:01-2014*). Cncl. DiLucia then questioned if the bids came in over the \$400,000.00 figure what would we do then. **Mr. Heydel** noted we could not do the project, council has to approve both the spending ordinance and award any bid, he was only doing the leg work to get us there.

Cncl. Walter Bryson questioned on the last installation that was done with Musco as the vendor, was there any cost overruns. **Mr. Heydel** advised, actually yes in 2006-2007 when we did the football field, we changed some of the specs because we wanted to move lights to the back baseball field so we added change orders to that. He added that he felt we have good estimates and barring anything outside the norm we are pretty much in the ballpark as to the total spending.

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Cncl. William Sebastian noted when you go out to bid on a contract whatever amount of money comes in by the low bidder and is accepted by the municipality that is the amount of money being paid. If there is any change or any overruns it has to have a change order approved by council. So, if the money is not there the change order cannot be approved, it is as simple as that. You are never going to exceed the \$400,000.00 figure unless it comes back to us for approval. However, if your estimate is correct, there should not be that problem. In the case of the football field, it was not an overrun it was a change order that went out from the municipality, requesting additional work, so that cost is in addition to the initial bid.

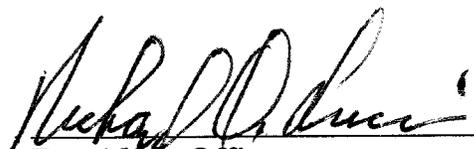
I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Frank Caligiuri** made a motion to adjourn the Council Work Session of January 27, 2014. The motion was seconded by **Cncl. William Sebastian** and was unanimously approved by all members of Council in attendance.

Respectfully submitted,



**Susan McCormick, RMC
Municipal Clerk**



Presiding Officer

These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of January 27, 2014 and serves only as a synopsis of the proceedings. Portions of the official tape may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted *SM* Date *2/10/14*
Approved as corrected _____ Date _____