

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
APRIL 28, 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 – **Cncl. William Sebastian** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Marvin Dilks	Present	
Cncl. Richard DiLucia	Present	
Cncl. William Sebastian	Present	
Cncl. Daniel Teefy	Present	
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		Excused
Dir. of Code Enforcement, George Reitz		Excused
Dir. of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Library Night at the Library IV**

Cncl. Pres., Garbowski advised Mayor and Council that the Library Board of Trustees requested their support for the *“Third Annual Library Night at the Library IV”*, which will take place on Wednesday, May 28, 2014. He explained that 10% of the cost of your meal will be donated to support The Free Public Library of Monroe Township.

Cncl. Pres., Garbowski referred to a letter received from Robbie Conley Architect, LLC in regard to an architectural proposal for Williamstown Fire. **Business**

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B.) MATTERS FOR DISCUSSION (cont'd)

Administrator, Kevin Heydel advised this was up for discussion, he did not request a resolution due to a conflict with whom Williamstown Fire wants to use for their proposal. **Cncl. Pres., Garbowski** questioned if we were limited to how much we could spend for such a service. **Solicitor Fiore** advised you could obtain as many quotes as you like as this a "Professional Services Contract". Mr. Heydel added with this being a professional services contract and still under the bid threshold amount, he brought the last contract (*Cecil Fire*) forward for council's approval. He explained he did not request a resolution for Williamstown Fire as they would prefer to use Dan Rodier for the needs assessment on their facility and the Mayor had mentioned that he would not sign a contract with Rodier. He noted that representatives from Williamstown Fire were in attendance and thought perhaps they could speak on this.

Joe Kurz, Williamstown Fire noted that we had already met with Dan Rodier, when we sat with the Public Safety Committee we told them we were going to use Rodier and asked if this was going to be a problem, we were told, it was not a problem. The committee meeting was held on a Monday night and on the following Wednesday night we met with Dan Rodier and he was in the process of drawing up a proposal. He advised he was told by the Chief that he got an email from Kevin saying that the Mayor did not want to sign a contract with Rodier. Mr. Kurz continued and noted that Dan Rodier has been trying to get information from the township which he has not been able to obtain. **Cncl. Bryson** spoke on how this was discussed at the Public Safety Committee as we were already using an architect. When a local architect was mentioned; it was something to think about but even at that time during the meeting it was mentioned that it might be a problem because of some of the projects he previously worked on. **Cncl. Bryson** noted if we could keep the consistency with what we have done with Cecil it would be a much better situation. **Business Administrator, Kevin Heydel** noted that in the Public Safety Meeting Rich Jacobi was the one that brought up Dan Rodier's name. Mr. Heydel stressed that he specifically said, that the Mayor would not sign an agreement with Dan Rodier. The Mayor then advised that Rich Jacobi hired Dan Rodier to do his ice cream stand. Mr. Heydel advised that he made a clear point at the Public Safety Meeting about the conflict that would occur with that. **Cncl. Caligiuri** questioned if there was any compelling reason why it is that important to use Dan Rodier. Joe Kuhn responded that is just who our committee chose. **Cncl. Caligiuri** questioned if there was any cost benefit or value associated with this choice. There was a response that to date there were no numbers received. **Cncl. Caligiuri** questioned if they had any other reason why it is important to use Rodier. Again, there was a response that he (*Rodier*) did the work on the other station (*WFC sub-station*). The Mayor then explained that is the station we had all the problems on and the paperwork on that station did not get cleaned up for probably three (3) years at least. There were problems with the roof, etc. Then we used him for the library. The Mayor, although quite agitated, added if you guys (*Council*) really want him I will sign the contract. **Cncl. Bryson** noted that Mike said he would take this back to his committee. The Mayor then questioned what does their (*WFC*) recommendations or opinions have to do with your decisions. You know we dealt with him twice, there is a track record. **Cncl. Sebastian** then noted that prior to the Public Safety Meeting I spoke with Rich Jacobi and brought up the fact that Rodier had called him, he had concerns about Rodier, and I

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B.) MATTERS FOR DISCUSSION (cont'd)

asked Rich Jacobi if he had concerns with Rodier and if he did, I would not bring his name up. Mr. Jacobi responded that he did not. Cncl. Sebastian noted at the committee meeting I mentioned the fact that Rodier contacted him and said he heard that they were looking to do some work at the Williamstown Fire Company. **Cncl. Sebastian** then advised Mr. Rodier that no decisions had been made and there was continued discussion on this. He added that Rich Jacobi had suggested that Dan Rodier do the engineering work and we (*committee*) discussed the fact that just like with the proposal for Cecil Fire the only thing the architect was brought in to do was to perform a walk through review. Then he would put together a proposal like the one Robbie Conley Architect did for what the cost would be to do a full blown survey of the requirements for the building and what the engineering study would cost, if he did it or it was done through the outside. **Cncl. Sebastian** continued and noted after that point for whatever construction was decided upon, that project must be put out to bid. Mayor Gabbianelli then noted this will not happen until next year, and we already hired Robbie Conley to do the Cecil Fire review. He added this will not be until the next Mayor's term and the next Council's term so he did not know why this was even being discussed. There is no way anything is going to be done before the end of this year. **Business Administrator, Kevin Heydel** stressed all this is for is a "needs analysis". **Mayor Gabbianelli** added that the analysis for Cecil Fire must be done. **Cncl. Bryson** noted at the Public Safety meeting we also talked to the members there and mentioned to them that it might be quite a while until this is done. This is a part of a six year plan and this was only to get things started, to see where it would take us and see how much it would cost. Mayor Gabbianelli noted he would have no problem buying another fire truck, but he did have a problem with putting a second floor roof on that property (*WFC*). **Cncl. Pres., Garbowski** noted this is only a preliminary study just to determine what your needs may be in the future and is strictly for planning purposes for the capital budget. He then questioned council members if they would like to move forward with getting the assessment/needs analysis done for Williamstown Fire. It was the consensus of council members to move forward with a needs analysis for Williamstown Fire to be performed by Robbie Conley, Architect. A resolution will be prepared for approval at the May 12, 2014 council meeting.

Cncl. Pres., Garbowski spoke of the cell tower to be installed by the county at the Cecil Firehouse location. He questioned if we are protected or if the county has come up with some type of agreement on this. Mr. Fiore advised he was going to assume they will as he has not seen any documentation from the county with respect to what the details are. He has not been advised if even there has been Pinelands approval. **Business Administrator, Kevin Heydel** advised he has received nothing from the county in this respect, all we have done so far is given them a resolution for them to go to the Pinelands, he has seen nothing since. Mr. Fiore advised he would contact County Counsel on this to find out what stage we are at regarding the agreement. **Cncl. Caligiuri** advised he has had conversations with Bob Butz from Gloucester County about this. He added there is some room for negotiation and he felt there may be a standard with respect to what we can get from the rental of the platform. He felt we should have, at the least, verbiage within the agreement that regulates the rates. They can render those rates non-competitive if they are not in line with what other private cell towers

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B.) MATTERS FOR DISCUSSION (cont'd)

owners are renting their platforms. **Cncl. Caligiuri** also made mention of the *right of first refusal* on the sale of the tower be given to the township in the event they choose to sell it. **Mayor Gabbianelli** added this should be included in the agreement, that it should revert back to the township. **Cncl. Sebastian** questioned an email sent from the county advising they would be going before the Planning Board with a preliminary study. He then added just what kind of authority the Planning Board would have over the county. **Cncl. Caligiuri** responded that he thought the Planning Board probably would have the authority to regulate certain zoning aspects and the land use law. However, this is an administrative contract and this has to do with placement and ownership of the tower. The solicitor advised as a governmental entity they come before the Planning Board in an advisory capacity, just as the school board for example. **Cncl. Sebastian** then questioned why this matter would not go before the zoning board because it is a change in use, perhaps the zoning board could put in the request that **Cncl. Caligiuri** has. The solicitor explained that the resolution only gave authorization to go to the Pinelands, it did not give them control or ownership of the land where the tower is going to go. He stressed the contract needs to be finalized. Mr. Heydel noted that the county has standard contracts with other municipalities that include a standard percentage they give back to the towns. **Cncl. Caligiuri** noted he would agree to that to some extent adding they do offer 20% of the revenue that they receive in rental fees. In some cases, it may be a little more than that and he felt there may be a little room for negotiation. Mr. Heydel noted the room for negotiation should be our ability to place an antenna there so we have wireless communication with Cecil Fire as this is what we need.

Cncl. Pres., Garbowski reported the Memorial Day Parade would be held on Monday, May 26th. He questioned if any council member would be attending. There was a response from several council members indicating they would be attending.

Solicitor Charles Fiore reported that Fred Weikel contacted Papparone Homes regarding construction and/or commercial equipment still being stored in the area of Fries Mill Road (*Block 14101, Lot 1*) and he was advised that all the equipment will be moved during the week of April 28th (*this is no longer an active construction site*).

Cncl. Teefy spoke of an email received from Jim Bonder on the carnival permit that was issued to the Huddle Club with the carnival dates June 3rd through June 7th. Mr. Bonder was quite upset that we issued this permit as the Music Festival is scheduled for Saturday, June 7th. The solicitor noted there is nothing the township can do legally to rescind this permit as the Huddle Club does have contractual obligations with various vendors. **Cncl. Sebastian** posed a question to the solicitor, if people meet the requirements of obtaining a license we can't refuse it, can we? The solicitor noted that was correct and the Huddle Club has done so and by approving it you already acknowledged they met the requirements. The solicitor explained there must an issue or a basis for not issuing a permit at the time it is up for approval in order not to approve the issuance of a permit.

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C.) PUBLIC PORTION

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

D.) NEW BUSINESS - None

E.) OLD BUSINESS

• **Liquor License – Bid Procedure**

Solicitor Charles Fiore advised that he must meet with the Clerk to coordinate dates, times, etc. as there is timing involved with the bid notices, etc.

The Solicitor then updated council members on a matter involving Taylor's liquor license. Taylor's received a notice from the state and their license is going to be suspended for the entire month of July. They entered into an agreement with the New Jersey Division of Alcoholic Beverage and he advised of some issues included in the Consent Agreement. They must sell their liquor license to another entity within two years, two years from the date of July 1, 2014. There has been a \$200,000.00 fine imposed by ABC over a period of two years. The solicitor felt there must have been something significant that lead to the suspension. He also noted that the license will be up for renewal for the 2014-2015 licensing period which starts on July 1st, it seems the license is going to be renewed but suspended simultaneously. **Cncl. Sebastian** questioned if they pull the license, the license comes back to the township. Mr. Fiore noted it is held by the Chief of Police for a period of thirty (30) days. Mr. Fiore explained within the Consent Agreement there is a time-frame for how much and when each installment of the fine imposed by ABC is due.

Cncl. Bryson noted the Mayor had the engineer go out and inspect a property located in the Arbours development where drainage has been an on-going problem. The engineer came back with an observation and the residents involved reviewed this. The Mayor advised that it seems the fence is holding back the drainage. If the fence weren't up the yard would drain right into the swale, which is on Amberleigh's side. The swale is approximately 10 feet off on Amberleigh's side of that fence. He contacted Mrs. Mecholasky to advise her of the engineer's findings. There was discussion with many people speaking at once as to the flow of water and exactly where the drainage problems are located. **Cncl. Bryson** read from an email he received from the resident. *I reviewed the engineer's comments and do appreciate that he is trying to resolve the problem. However, the pictures he took are not where we are experiencing the water problem. It is not where our shed is located, it is the opposite end of the yard more towards the pumping station. This is where we get standing water. Our fence has been up for ten (10) years and*

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E.) OLD BUSINESS *(cont'd)*

we never had any water issues until they developed the housing in back of us. Could you please relay this information to him. Thank you Joann Mecholasky

Solicitor Fiore advised a conference call was made to the bonding company, with Kathryn Cornforth, ARH present and one of the things being requested are that they provide an as-built for that particular area. This is to determine/make sure that it was built according to the plans. **Cncl. Bryson** noted he sent another note back to Chris Rehmann after he received the above referenced email because he said he did not see any berms on the construction drawings. He asked if there were other revisions that had those berms, as to when the residents first moved in. He noted he has not received a response to that question so he suggested you may want to look at old drawings also. **Cncl. Sebastian** advised that he reviewed the plans and the berms are not behind those apartments, the berms are along the street and around the corner. The Solicitor noted the berms are along Blue Bell Road to screen it from the traffic. He added we looked at the final plan and it does not have a berm between the multi-family and the Arbors. He noted one of the punch list items being whatever trees have died along there they (*developer*) must replace them. He spoke of one issue being, they wanted the larger trees and if you look further down, on the one house they do have larger trees but they are planted on that property so they are big, blooming trees that get full foliage. He continued and noted it appears as though the developer placed all the trees he was supposed to, according to the plan. **Engineer, Dave Cella** advised there was not supposed to be holly trees, there was supposed to be pine trees planted. **Cncl. Sebastian** noted the plans he reviewed had a row of pines and a row of hollies shown right on the plan. The inside row was hollies and the outside row was pines. **Cncl. Caligiuri** questioned Mr. Cella on why we don't require oak trees as they are indigenous to the area. Mr. Cella noted what was approved was done by the planning board. **Cncl. Caligiuri** noted he would speak to the planner on this.

F.) COMMITTEE REPORTS

Cncl. Bryson noted that to date, there has been no meeting scheduled with the members of the dog park committee (*Bryson, DiLucia, Teefy*). He did however do some research on a dog park located in South Carolina that was done professionally. It sits on approximately an acre and a half of ground and it is set up so that it isolates the people coming in from the dogs already there. He continued to discuss some of the features included within the park and he will send pictures to the committee members. The Mayor spoke with Dan Kozak and Fred Weikel who perform inspections in houses and apartments and one thing to keep in mind is that, according to our inspectors, we are seeing a decrease in our dog population. **Cncl. Teefy** suggested that we gather an email list from the database within the dog licensing program and the committee should form some questions/survey regarding the utilization of a dog park. **Cncl. Bryson** added what should go along with a dog park should be a real park, a park where people who just want to get out and sit somewhere can go. He added there are many well-planned, very well laid out parks that we should consider looking at, we don't have such a thing.

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F.) COMMITTEE REPORTS (cont'd)

Cncl. Teefy spoke of Owens Park and the fact there is a one-mile walking trail already set up there. **Cncl. Bryson** responded when you are at Owens you are hitting a baseball or there is football and other things going on. He felt we need a real park something without anything that has to do with sports. There are many seniors in town that would just like to go out and take a walk and sit down to enjoy the scenery. **Cncl. DiLucia** suggested we discuss all this, for now, at the committee level.

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Bryson questioned Resolution R:89-2014 *Resolution Awarding A Contract For Professional Services To Adams, Rehmann & Heggan Associates, Inc. For Final Design, Preparing Bid Documents And Construction Management Services Associated With The Township Of Monroe, County Of Gloucester, State of New Jersey.*

He requested that someone explain why and what we are doing on this. **Business Administrator, Kevin Heydel** explained this is for construction management and taking the specs that he has already provided and putting them together and making sure everything is there so that we can bid out the installation of the lights. He added they would manage the project and make sure it is done right and has all its approvals. It is like any other project that we do. He advised the installation of the lights would take place in late July, early August. Mr. Heydel advised he already advertised the part dealing with Musco Lighting and getting the documentation from them that he needs in order to do the cooperative purchasing. Once the advertising is complete, he will come to the next council meeting with a resolution in order to award the equipment to Musco and on May 15th is when I will order the equipment as there is an eight (8) week lead time that you need. We are looking at delivery toward the later end of July to give a week or two for preparation. Meanwhile, we will go out to bid in mid-May and hopefully award in June to do the installation at the end of July. **Cncl. Bryson** questioned the installation of the lights and he thought we weren't going to that right away. Mr. Heydel advised we didn't do it right away, we didn't do it in January/February. The Mayor noted we said we would do it after the baseball season. **Cncl. Teefy** noted we wanted to do it before but we delayed it as you guys voted it down and then voted for it so that delayed it by a month or we would have had it done before the season started but now we are after. The Mayor then noted we couldn't get it done before the season started that is why we delayed. **Cncl. Teefy** noted because we delayed the approval. **Cncl. DiLucia** then noted even if approved timely we wouldn't have had time. **Cncl. Teefy** then questioned Mr. Heydel on if we had approved it (*ordinance*) in January would we have had time for the installation before the season. Mr. Heydel responded we would have delayed opening day however if you run into project delays whether it be weather, etc. you would have been delayed. The Mayor noted with the bad weather over the winter we might have been delayed for sure.

Cncl. Sebastian then questioned who is to determine if we need an increase in service. Mr. Heydel explained it is a design build type of project so when we put out our bid specs they are going to come in and look at it and have to decide based upon the bid specs as to whether or not they need to increase the service.

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

Engineer, Dave Cella, ARH explained there will be an allowance in the bid so that if there is an upgrade needed we will be able to cover the cost. Cncl. Sebastian then questioned if there will be "caution tape" or anything underneath these lights, because we got a letter on this. Mr. Heydel then noted we just had lights changed today and there is one pole we are concerned about. He instructed Jim Bonder to find out exactly what pole it is and to put "caution tape" around it. He added the lights are not going to fall on the field as they are set back further. Cncl. DiLucia noted, not to belabor this, as he understood the initial communication that we received, that really created council to vote for it was that it was not only the lights that were dangerous, it was the poles. The poles were rotten. He questioned how we are going to stop, god forbid if one of the them were to fall, what is tape being around a pole going to stop? He continued and added that he has been concerned about this the entire time and he raised it the whole time. He did not want to put a damper on anything but we are on record as knowing that some company, right or wrong, said that those poles are defective and rotting internally. He questioned if there was any way we could take more precautions to see that nothing bad happens. Mr. Heydel explained it is not the poles that are going to fall. What has happened is you have the weight of the lights and it is in around where it is grasping because it rots from the top down. That is where you have the issue, where that splinters away and the weight of the light is what falls. It is not the pole that falls; it would be the lights that are on there, where the wood is holding the lights in place has rotted. Cncl. DiLucia questioned if we have something from the company that says there is no danger of those poles falling. Mr. Heydel responded whatever they wrote in the inspection report as there was an inspection report on each pole that was submitted to council. The poles are not going to fall out of the ground. Cncl. DiLucia noted we had a lot of discussion on this and there was concern with squirrels nesting up in the poles, which was decaying and affecting the lighting ability. However, it was pretty clear in the communications that the poles made of wood were starting to decay. Mr. Heydel noted that was right and they decayed from the top down. Cncl. DiLucia noted his concerns with the township being protected but first and foremost that no one gets hurt. This council is on record of getting a communication and if it is not clear then we should make it clear that those poles are not in danger, that it is the lights and we can address the lights. Mr. Heydel noted he could send someone out there to do inspections on all the poles again. He then explained what happens with the poles over the years is that the creosote oil comes down, it soaks down into the ground so it is not that part that is rotting away, it is the dry part and where the squirrels nest from the top. Cncl. DiLucia said he could recall saying why don't we cut the poles and re-establish new lights. I was told then the poles were defective. At that point, many people spoke at once (*inaudible*). Cncl. DiLucia then noted either he misunderstood or the communications were ambiguous. He then again noted to protect this town and the people in this town let's make sure that taping around the poles is going to be sufficient to protect. We are going to have thousands of people over there at our festival and as I had said before, I experienced a kid getting killed by a pole that was defective when I was coaching football. It was in a school yard and the pole fell and killed a kid. Let's make sure that is not the situation, if it is the lights that are defective then fine. If it is the poles? Mr. Heydel then spoke and offered to contact the company and ask them to interpret their findings. The Solicitor noted that just from a

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

liability standpoint we have to then establish a proper safe zone for the lights. **Cncl. DiLucia** again stated he felt first and foremost it was important for the people in town to be protected and secondly that we are not liable financially for something as a result of knowing about something. The Solicitor noted it is on the record so we need to address it.

Cncl. Teefy then noted that he understood the concern, we did have a letter given to us back last year, then we were notified of this in December and the action we took was a four to three vote *not* to install the lights and *not* to move ahead with the ordinance. He then noted if you were concerned, why did you vote no? If we moved ahead then we would have the lights installed. **Cncl. DiLucia** noted maybe I made a mistake in trying to allow kids to enjoy something that was against my better judgment. He then added that it was clear to him that there was a notice by a company that was supposed to go there (*because we asked them to go there*) to inspect those poles. They said that those poles were dangerous. **Cncl. Teefy** noted that was the second company, we had one from April of last year. **Cncl. DiLucia** then noted if you (*Teefy*) are saying to me that I should make the right vote now and say we shouldn't until. **Cncl. Teefy** then interjected saying you should have made the right vote back then. **Cncl. DiLucia** advised that is just what I did, I am trying to protect the kids and the town. **Cncl. Teefy** said you should have protected them then. **Cncl. DiLucia** indicated no because the event hasn't taken place yet. **Cncl. Teefy** noted the event is happening tonight, they are playing ball now. **Cncl. DiLucia** said, as a council, if we feel there is something dangerous there then I would vote to shut the park down and I would take whatever heat that came from that. There was then discussion back and forth (*hard to discern*).

Cncl. DiLucia then noted that he felt he was on the record about two concerns. I was concerned about whether there was danger there for the kids. Also, I was concerned about spending money and the kind of money in the area of \$400,000.00 if in fact we didn't need lights. **Cncl. Pres., Garbowski** then noted the original vote was to "table" it until we got an engineering study done. **Cncl. Teefy** then said the "table" failed because you (*Garbowski*) voted no to "table" then when we voted to move it ahead you voted no, not to move it ahead. **Cncl. Pres., Garbowski** noted we wanted an engineering study, as there was no engineering study on that equipment. **Cncl. Teefy** then noted what did you get; you got an engineering firm that went out there in April 2013 and told us these lights needed to be looked at, as it was possibly a public safety issue so we had that already. They came back (*a different company*) told us the same thing. He added that our engineer does not inspect lights they go out to an electrical contractor to do it. They had been out there before in April when they did the lights just as they did this week to put new lights up and they said *you got an issue here* so Jim let us know when it came to us in the beginning of December at the ordinance committee meeting. **Cncl. Teefy** then added the issue was on the table, we knew we had a problem but we voted not to move ahead, we delayed it and now the lights are going in at the end of July. **Cncl. DiLucia** noted, to clear the record, the issue was initially that when it come to us it was six or seven months after people knew that they were told there was danger. Adding, we were given a letter in December that was received initially back in April. He asked at that meeting who knew about this at that time and now they were coming to us and wanted us to make a decision

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

on spending \$400,000.00 on something that they knew about six months prior. There was danger, in fact, there was a festival held after they knew there was danger. **Cncl. DiLucia** noted he did not want to go on the record and say this publicly but now I am being questioned about why I'm concerned about safety. He then made this clear again, saying that he was concerned first and foremost that we provide a safe condition over there. If that meant spending a couple more dollars to clarify what he felt was an ambiguous report because I was under the impression that everybody felt that the safety thing was resolved and now I hear we still have safety issues and we are going to put tape around it, this is why I asked the question. **Cncl. DiLucia** then said, if it is not safe let's make it safe. It isn't a question of voting now, I voted for it, I voted for the expenditure of money and I did that because I was convinced that they should get their state of the art lights irrespective of the danger issue. Now, if we want to play games, we will just play games. If I am not convinced that it is safe for those kids over there, adding that he felt all of us have that obligation, my vote will be to shut the park down and I will take the heat from the baseball fans. If that is what this is all about, then fine. I have broad shoulders, I have been there before and I don't have a problem with it. But I'm not going to sit here and have one doubt about safety for the all the people who will there. That is the issue. **Cncl. Walt Bryson** noted a secondary option might be that if they are dangerous (*the poles*) well then take the lights down off the poles that are dangerous. We have a list of eight poles that are dangerous and we still went up and put new lights on them. **Cncl. Bryson** continued noting he understood about the waiting because he wanted to know what the real problem was. He added either shut the park down or go to everyone of those poles that was listed by the contractor and take the lights down, whatever the consequences. Because then you will have a safe situation until it comes to the time when you replace the lights. **Cncl. Pres., Garbowski** noted, if he remembered correctly, the report we received said that the poles were getting in bad condition but were not immediately dangerous and we needed to move forward as soon as possible. **Cncl. DiLucia** then added, all Kevin has to do is have the company clarify that those poles, the poles, not the lights, are secure. If they do that then at least we are not wrong because the company that is supposed to be the expert in the area says that those poles are not dangerous. Then we are fine and I don't think there is any reason why we shouldn't do that. I certainly would feel better about it. **Business Administrator, Kevin Heydel** advised he would get a clarification on their report as to whether or not the immediate concern is the physical lights or if it is the pole falling out of the ground. He questioned, is that sufficient? The Mayor then noted, he agreed with Rich, if there are poles that are bad, we better take them down. **Cncl. DiLucia** then noted he remembered Jim Bonder saying, the poles were so bad they were on an angle. Adding, we approved the money to replace the poles, and there is no question about that and he did not have a problem with that as he voted yes on it. We have enough time between now and the fall season to get an assessment of the what danger is, if any and to correct that in a timely manner. If there is no danger, then fine we don't need to do anything and in the fall there will be new poles there and that will be the end of it. If there are some things that are unsecured then we can secure them and we can provide a safe condition over there. We have from now to at least August, which is certainly enough time to rectify whatever danger there may or may not be.

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Engineer, Dave Cella requested a point of clarification, what you are authorizing us to do tonight is to go out to bid for a contract that is going to replace those poles well before August. We are going to finish a design and put a spec together and secure a contract to go out there and remove those poles and install the new ones that are being purchased if you say yes to us tonight. **Cncl. DiLucia** felt this is separate and aside from the resolution scheduled for approval, that can move forward and we can still get an opinion from the people who already inspected those poles about what they mean as to the condition of those poles as related in April and again in November/December.

Cncl. Sebastian noted the particular resolution (*R:89-2014*) is specific to the engineering services and final design of replacing the poles regardless of what their condition is. What **Cncl. DiLucia** is referring to is aside from that we need somebody to go out and check the condition of the poles *now* prior to the design taking place. He added that can be done by the mayor just by telling the township engineer to inspect the poles. If they do not have anyone capable of doing that, they subcontract and hire someone to do it. **Mr. Heydel** will receive clarification on the condition of the poles.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED - None

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Frank Caligiuri** made a motion to adjourn the Council Work Session of April 28, 2014. The motion was seconded by **Cncl. William Sebastian** and was unanimously approved by all members of Council.

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 April 28, 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 AmJ Date 5/12/14
Approved as corrected _____ Date _____