

MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
SEPTEMBER 22, 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. Marvin Dilks** 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, Chris Rehmann	Present	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz		Excused
Dir. of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Green Avenue Street Light**

Municipal Clerk, Susan McCormick referred to the question posed at the last council meeting regarding the status of the street light request for Green Avenue. She advised council members were copied on the emails sent to the Police Department requesting a survey be performed along with their response that was sent back to her while she was in session at the last Council Work Session Meeting. Upon receipt of the survey from the Traffic Division it was immediately sent to Tim Bateman the Atlantic City representative in charge of this area. Mr. Bateman performed a survey and contacted both her and Mr. Heydel because the pole where they requested the light be placed has no what he called "*secondary's*" so in order to put it there, which is the optimum place, the pole would need to have a transformer installed at an approximate cost of \$4,100.00. Mrs. McCormick emailed Mr.

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Bateman to question whether putting street lights on the poles on either side would help the issue and he stated we could try it and that cost would be approximately \$600.00. After discussing this with the Business Administrator it was felt the matter should go to Council for discussion. Council questioned the distance between the poles. Mrs. McCormick advised the report stated there was a distance of 800 feet between utility poles which are equipped with street lights. One light PN2028 is approximately 85 feet east of 966 Green Avenue. **Cncl. Caligiuri** questioned whether someone could check the availability of pole number 48-PN4804-868. Mrs. McCormick noted the Traffic Department reported pole number PN4806, which is the pole Mr. Bateman called her about and agreed with the officer's recommendation but the cost to install a light on that pole will be \$4,100.00. **Cncl. Caligiuri** requested the pole he referred to be checked to see if there is a transformer on it because he wants to make sure the light is being installed in the right place. **Mayor Gabbianelli** questioned the cost to install on a pole with an existing transformer. Mrs. McCormick advised the cost to install a street light is normally \$368.00. **Cncl. Bryson** questioned whether a solar panel could be installed along with the transformer because that would save on electrical costs. **Cncl. Sebastian** explained a solar panel on a pole does not generate enough power to run the light. Deptford Township has solar panels up and down the streets and the only reason they use them is to reduce their total electrical cost. Council discussed the distance the lights would be from the 966 Green Avenue and **Cncl. Teefy** noted before taking any action on this he would go to the location and take a picture of the area so Council can make an informed decision on this matter.

• **Bid - Plenary Retail Distribution License**

Cncl. Pres., Garbowski questioned the status of the bid for the liquor license. Mr. Fiore advised the last time it was discussed an ordinance was going to be done, it was to be advertised, a value established and we were trying to affix it to a location. He requested some guidance from Council on whether they just wanted to sell the license and have it out there or talk to Economic Development to try to bring a business in. Other towns have sold licenses but they attach it to a property and put a Sunset Clause to it. He cautioned that if it's sold without a location it could just sit out there forever; but, that is Council's call. The Clerk advised the potential buyer of Taylor's came to her office to introduce herself, as she is looking forward to doing a Person to Person Transfer in the near future. Applebee's is also in the process of doing their Place to Place Transfer. **Mayor Gabbianelli** advised Applebee's would like to be open by the end of the year but they are waiting for Pineland approvals and everyone knows how that can be. Mrs. McCormick advised Taylor's will move quickly and she has already contacted Det. Riggins who will be in charge of the investigation. The new owner plans on purchasing both the facility and the liquor license. **Solicitor Fiore** noted Taylor's is under an administrative order and must transfer their license within two years. **Cncl. Pres., Garbowski** questioned what Council wanted to do with the distribution license. **Solicitor Fiore** explained the process would take 60 to 90 days and Council would need to establish a price. Council discussed liquor licenses selling in other towns for \$350,000.00 to \$600,000.00 and Mr. Fiore suggested establishing the price a little higher and if someone is really interested in committing to Monroe they will come up with the money. **Cncl. Pres., Garbowski** noted if the process takes 90 days this matter should be left to the next Administration and Council.

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C.) PUBLIC PORTION

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

Carol Stevenson, 921 Lois Drive, spoke of the Lois Drive improvements and noted at the last council meeting she was assured the street would be opened, a second vent would be installed across the street as well as the one on her side of the street, but that is not being done. She questioned if there was any intention to do that because the underground pipe is a big part of getting the water off the street and from between the houses. She went on to say in the 46 years she has been in her home the area of East Lois and Lois Drive has always flooded but her home, which is six houses away never flooded until all the new housing came about. Mrs. Stevenson noted the 24 and 18 inch pipes being installed will take the water off but it will still rise and flood around her property and the intersection for a period of time before it runs off. She questioned whether the underground pipe was still not an option. **Engineer Chris Rehmann** advised the township does not have the money to open the streets and he apologized to Mrs. Stevenson for misrepresenting at the last meeting that we were going to put the inlet across the street. The alternate bid to do that and make the street repairs was an additional \$30,000.00 and we were informed we did not have that money. The contract to bring it up to the inlets that are on Mrs. Stevenson's side of the street was awarded and we have a made recommendation to include funding in the 2015 budget to place inlets across the street and up to the next intersection. Those are our intentions but whether council will appropriate the money will be the question. Mrs. Stevenson questioned whether a decision on the budget is made in January. The Mayor advised the budget will be done by the new administration. Budgets are usually introduced by March but adoption could be done months after that. He suggested Mrs. Stevenson come to Council in January to request it again. **Cncl. Dilks** questioned how the 18 inch pipe would be tied in if it was starting at 24 inches. Mr. Rehmann explained it is starting back at the headwall and running up to the inlet on Mrs. Stevenson's side of the street. Mrs. Stevenson questioned whether Phase II, which is supposed to be the retention pond, will be introduced next year also. Mr. Rehmann advised that also must be included in next year's budget and there are competing interests for capital funds; which is money that can be spent on these types of projects. There are some issues at the Cecil Fire House that must be addressed with Council so all of these items are part of the budget negotiations. Mr. Rehmann suggested Mrs. Stevenson do as the mayor suggested and come back in January to get this project included in the budget. Mrs. Stevenson questioned whether Cncl. Dilks would be on Council in January and if he would vote for this. Cncl. Dilks advised he will be on council and would vote for the project. Mrs. Stevenson advised Neri told her according to the EPA he was not allowed to cut the tree. Mr. Rehmann noted he was instructed by the township to cut the tree and if he doesn't do it he will not be paid. Mrs. Stevenson questioned if he doesn't do it would the township do it. Mayor Gabbianelli replied no, because that is part of his contract and it is Mr. Rehmann's job as engineer to see that it gets done. Mr. Rehmann explained all he has to do is take a chainsaw and cut the portion of the tree that is partially blocking the discharge; he doesn't have to remove the stump or take anything out he just has to clear it out of the way so the water will flow. Mr. Rehmann advised he will talk to Mr. Neri tomorrow about this. Mrs.

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C.) PUBLIC PORTION (cont'd)

Stevenson noted coming to the meetings has been very interesting. She indicated she was a housewife, secretary, office manager and store owner and was not qualified in regards to what you people know but she has a mechanical mind, which is what helps her. She noted she is discouraged with the number of times she received misinformation and she wondered if she should have gone to the formal meeting at 8:00 PM rather than the Work Session because then it would have been recorded. She noted she is a trusting person and she thought what she was told would happen but then a couple days later she was told what she thought was going to happen was not and that is very frustrating. Mayor Gabbianelli explained we had a grant that was going to be used someplace else but when you (*Mrs. Stevenson*) and the other residents came to the meetings we took that grant and moved it to Lois Drive. The grant was only \$50,000.00 and only so much can be done with that limited amount of money. He felt that he, the council and the engineer did what was in the best interest of the people on Lois Drive. We begged the county to extend the time to expend the grant money and they granted an extension until October to expend the money. The Mayor noted whether Mrs. Stevenson went to the Work Session or Regular Council Meeting did not matter because everyone tried to help resolve this problem but unfortunately we only have so much money and this project was not planned for this year. Mrs. Stevenson stated before she came to a meeting she saw a fellow there that was going to bid the project to put two manholes that were going to connect with a pipe in the street to percolate the water. Mr. Rehmann advised he had a few thousand dollars to utilize to catch some of the water added from the new development through recharge basins, which is what environmental agencies are looking for. The severity of the issues were explained to us at a Work Session by Mrs. Stevenson so we decided it would be better to provide the start of a system to get the water off the street as quickly as we could and that is where we are today. Mrs. Stevenson felt if she didn't come to that meeting what the township was proposing would have only been a band aide. The Mayor noted Mr. Rehmann was just having the area surveyed, we had approved nothing for Lois Drive until you (*Mrs. Stevenson*) came to a meeting and brought the issue more to our attention and that is when we successfully moved the grant from one place to Lois Drive. Mrs. Stevenson expressed her appreciation to Mr. Neri for doing a great job; noting he is very thorough and neat with the job and hopefully when he gets done in the easement it will be graded so it will look decent. She added she was not sure how much more he would be doing in the back but he is a very nice person, very easy to work with and she appreciates him as the contractor on the project.

Business Administrator, Kevin Heydel spoke of Chris Rehmann's original plan to recharge on Lois Drive, which was the same type of plan used on the corner of Main Street and Lake Avenue and that works absolutely fine since it was installed a few years ago; when sidewalks were installed. We had \$50,000.00 plus a little additional money to spend on that work, the design, the bid specs, the bid award and the construction management. When Mrs. Stevenson came to the meeting and said that plan was not going to work and would be a waste of \$50,000.00 we rejected the bid and Chris had to do a full re-design for additional money. The project went out to bid again and that bid came in \$40,000.00 more then what the original grant was for. We spent at least another \$50,000.00 because she said the original

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plan Chris recommended wouldn't work. The project is up to \$100,000.00 and we don't have a budget for the additional \$50,000.00. That money was taken out of the Road Program in an emergency situation to fulfill what the residents are requiring but now we don't have the money that was to be used for other priorities in the municipality. Mrs. Stevenson noted it's great that something got done but it makes sense that, if possible, funds be put in the budget next year to complete the job and then we won't have to look at this again. Mr. Heydel advised we have flooding issues along Main Street and other parts of town as well. Mrs. Stevenson recommended one issue be resolved even if it takes two years and then the next one could be addressed. She noted she is happy the problems in front of her house are getting resolved but the people on the corner of East Lois are not happy. **Cncl. Bryson** noted Mrs. Stevenson was right in coming to the Work Session meetings because this is the place where questions can be asked and addressed by Council and the professionals.

Lee McCullough of Prosser Avenue approached Council to address a zoning issue on Prosser Avenue that deals with Mr. Vidovic, owner of All Jersey Tree Service. Mr. McCullough spoke of meeting with the Mayor and Mr. Heydel several times and of how Mr. Fiore is tired of seeing him after three years of dealing with this problem. He noted he has never been to a council meeting but after three years he has had enough of this. Over the last five weeks he has had conversations with Mr. Heydel but the only thing that is going to resolve the problem is if Mr. Fiore goes back to Woodbury to Judge Morgan to straighten out what was done last time. Mr. Weikel told him it is not going to happen, Mr. Heydel tells him he approved the money and Mr. Fiore is on the side of the residents of Prosser Avenue and Herbert Blvd. but there seems to be a problem getting this back to Woodbury. He noted he is here tonight to see what is standing in the way of that. **Solicitor Fiore** explained approximately three years ago, October 2011, we filed an "*Order to Show Cause*" before Judge Morgan in Superior Court. Two options the municipality has is to proceed civilly and ask for a judge to issue an "*Injunctive Relief*" or to proceed through the local municipal court. We decided at that time to proceed and go before Judge Morgan. At that time Judge Morgan entered an order indicating the Mr. Vidovic could not operate his business out of that property including parking his vehicles, as it is clearly a residential property. The Judge stated he could stop home and grab lunch but he could not store the commercial vehicles there and that came down to an interpretation of what constituted a commercial vehicle. Mr. Fiore noted he thought that had been straightened out but in the interim unrelated to the municipality Mr. McCullough and Mr. Vidovic who are neighbors have had an ongoing dispute over the years regarding the operation of this business and there has been multiple pending municipal court charges that have been filed by Mr. McCullough and his sister against Mr. Vidovic. Now, Mr. Vidovic is filing charges against Mr. McCullough. Over the past three years the severity of those charges have been up to the prosecutor's office, referred back to town, back up to the prosecutor's office and now back down to town. It is scheduled for a trial on October 15th for about twenty cross complaints. **Cncl. Caligiuri** questioned what the justification was for operating a business in a residential area. Mr. Fiore advised there is none. **Mayor Gabbianelli** added the trucks are kept on Cross Keys Road. Mr. Fiore explained from time to time Mr. McCullough sees a commercial vehicle there and he contacts the Zoning Office

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and they have gone out and verified the commercial vehicle was parked there. Mr. Weikel signed another complaint against Mr. Vidovic for having that vehicle there and that is pending on October 15th. The municipal court proceeding has nothing to do with storing a commercial vehicle; they deal with disorderly person offences they have filed against one another. The issue Mr. McCullough is asking is whether Council and the Mayor want to authorize spending money on legal fees to take it back to Woodbury to have Judge Morgan enforce the civil part of it that indicates commercial vehicles cannot be parked there nor can the business be conducted from that property. Mr. McCullough noted this has been a financial thing mentioned by Fred several times so tonight he wanted to give the township \$100.00 to put towards the legal fees to move this forward. Mr. Fiore advised the township cannot legally accept the \$100.00. He explained all kidding aside this is a serious matter; we cannot accept any money and that is on the record. He explained this comes down to the pending violations in municipal court and if the township wants to expend money to take the case to Woodbury. Mr. McCullough spoke directly to the Business Administrator stating Mr. Heydel you have approved Mr. Fiore's charges and Mr. Fiore is willing to go back to Judge Morgan to straighten this out and Mr. Mayor you approved this to go back to Judge Morgan. Mr. Fiore replied whether it goes back is the governing body's decision and he recommended to the Mayor that it not go back at this point in time. He recommended waiting to see what happens in the municipal court proceeding. Mr. McCullough stressed that this has been ongoing for three years and it needs to be straightened out at Superior Court. Mr. Fiore noted for the record his legal opinion would be not to spend the money to take it to Woodbury. **Cncl. Caligiuri** questioned how we are involved in this. Mr. Fiore explained originally we became involved back in October 2011 when Mr. McCullough met with the Administration regarding a number of complaints because Mr. Vidovic admittedly was operating a full blown commercial business on a residential property. It is a large residential property but commercial is not allowed. In the midst of the trial Judge Morgan recognized Mr. Vidovic because he tried to do it in Washington Township prior to moving to Monroe. Then at some point in time, unrelated to the municipality, there were disputes between Mr. Vidovic and Mr. McCullough and his sister. Complaints have been filed and windshields have been busted. Mr. McCullough stated seven windshields. Mr. Fiore advised that is unrelated to Monroe Township that issue is being handled in Monroe Township Municipal Court. Mr. McCullough has indicated that over the past couple of years Mr. Vidovic has not been operating the business per say but there have been commercial vehicles on the property overnight or on weekends. Mr. McCullough noted his employees are coming in and out with them. Mr. Fiore explained the question will be whether or not Judge Morgan is going to find that's enough to issue an injunction or punitive relief to find that the vehicles are going in and out to constitute the operation of a commercial business. **Cncl. Bryson** questioned whether Mr. Vidovic has appeared once or many times to our municipal court and been fined. Mr. Fiore advised there were two charges filed by Mr. McCullough's sister against Mr. Vidovic that the judge found him not guilty of but the judge did find him guilty of the zoning violation. The next zoning violation will be a second offense and the penalties are progressive. If he is convicted of a zoning violation Mr. Fiore felt the judge would fine him much higher.

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He explained he could issue a jail term and suspend it in an order to prevent it from happening again. Mr. McCullough noted this has been ongoing for three years and during that time that man has only paid a fine of \$335.00, which amounts to 45¢ a day so why would he comply. Mr. McCullough then noted when we were in Judge Morgan's courtroom Vidovic lied to the judge and then he asked permission to keep this, that and the other things and Mr. Fiore and the Judge did not realize those things were construction equipment. He noted he was sitting in the back of the courtroom with his head exploding and he felt he should get up and speak because that had to be straightened out. The Superior Court Judge said he could have this, that and the other thing but they do not belong there because our properties are residential, we are not the Black Horse Pike or Berlin Cross Keys Road, we are Prosser Avenue. Before this man came there the township didn't even know there was a Prosser Avenue. When the police were called they had to figure out where the road was. Mr. Fiore noted Mr. McCullough you know that is not true. Mr. McCullough noted this is bad and has gotten out of hand. Two people showed up at his house on July 2, 2013 at 1:28 AM to burn his house down with his family in it. He noted he tackled the guy to the ground. He went on to say the Judge collects reward money and he wants to know who owns that money because he wants to put a sign out that says "*Arrest and Conviction of People that came in to burn down our house*". He noted this is a zoning issue that has gotten so far out of hand during the last three years. Mr. McCullough noted he has been assaulted, had seven broken windshields, rocks have been thrown through the house windows, they came to burn the house down with us in it and he no longer can remain calm over this. He questioned who owns the money collected in the courtroom. Mr. Fiore explained fines are not reward money. Under Title 39 or 2C 50% of the money collected goes to fund the court and the other 50% goes to the State. It is not reward money nor does it go to the township to be put in the Road Program or anything else like that. Mr. McCullough requested Mr. Fiore to look him in the eye and tell him that he is not worth going back to Woodbury for. Mr. Fiore indicated he would never say that and went on to explain that members of the governing body are not aware of the issues. He noted Cncl. Bryson had asked a question about the charges going to the Prosecutor's Office but the Prosecutor's Office, because there is not a defendant they can identify, there is no one to charge. They can charge people but they are probably not going to be convicted and that's the problem; the fact that a lot of this is happening in the middle of the night. Mr. McCullough noted Nicholas Danzi, Miss Melfee, Stacy Sheets, Steven Boyd and Sean Dalton are all working on this in Woodbury so how many resources do we throw away before this is brought to an end. He noted he has been lenient for three years but now he has had it. He noted he is sorry that he has to ambush Mr. Fiore in court the way he does on Tuesdays but you just do what you have to do. Mr. Fiore noted he shows up to every court even though it is not scheduled. Mr. McCullough spoke of Mrs. DeLeo and Ms. Carrie sending him and others coming in to sign complaints over to the police department to get Statute numbers. He complained that those numbers don't match up when Ms. Carrie goes to process them so either Mr. Fiore or someone with legal experience must be available to people during the week to provide the appropriate sub-section of the Statute because some things have been thrown out in court. He noted he watched Vidovic drive across his lawn

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to tear it up after it rained and he saw him drive the earth moving equipment through the second acre of his property down to the sixth acre and tear that up too and sitting in court for a long period of time it all gets thrown out because the numbers don't match the complaints. He noted he is not a cry baby and has been lenient for three years but now he is asking Council to send Mr. Fiore with him back to Woodbury to close Vidovic down on Prosser Avenue once and for all. He noted he will guarantee their money will not be wasted and he questioned whether he had Mayor Gabbianelli's support. The Mayor replied no not at this time because he was listening to the advice of the Solicitor. Mr. Fiore recommended waiting until after the municipal cases are heard on October 15th. Mr. McCullough noted we waited, how long can we wait. Mr. Fiore stated he would make no further comments, as he goes through this same dialogue with Mr. McCullough at every court session and whatever he tells him he doesn't listen to so unless Council wanted him to speak he would say no more about this. **Cncl. Sebastian** questioned did the municipality do anything after Judge Morgan said he couldn't operate. Mr. Fiore advised Mr. Weikel has been out there from time to time, Chief Smart and Chief McKeown have met with him, there has been actual undercover out there and the Detective Bureau has put security cameras out there to try to catch someone in the act and they have been unable to identify anyone on the property. **Cncl. Sebastian** questioned whether everyone in the municipality has done what they were supposed to do during the entire three years. Mr. Fiore replied yes and Fred has documented the few times it went to court. **Cncl. Sebastian** recommended waiting until after the October 15th court proceedings before moving forward because we are doing what we are supposed to do and going to Judge Morgan to have him change his mind is like throwing a rock up a hill. Mr. Fiore noted he can appreciate what Mr. McCullough is saying about someone trying to burn his home down with some sort of electrical explosive but because of the seriousness of the charge that was sent to the Prosecutor's Office. Sometimes it will be there for five or six months, sometimes even longer because if there are pending charges in the Monroe Municipal Court that is related to both parties you can't prosecute any of the cases until they come back from the Prosecutor's Office. What he is now telling me is that there are other charges up there now so on October 15th they may or may not be remanded back here. As far as the process in municipal court, when someone comes to the window and wants to file a private complaint, even though it is entitled State of New Jersey v. Joe Doe according to the Administrative Office of the Court, the court staff is not allowed to tell a person what Statute number to put in the complaint. They direct them to the book and that is unfortunate because not everyone can find the correct Statute. With respect to going to the Police Department they would only give you that information if a detective or police officer investigated it then they sign the complaint. **Mayor Gabbianelli** noted fifteen years ago the courts used to help people but they don't help anymore and that is governed by the County and the State; not the municipality. He noted the County vicinage is really what changed everything. **Cncl. Bryson** questioned whether Judge Morgan ruled that Mr. Vidovic could run his commercial business in a residential zone. Mr. McCullough replied no the judge thought the items Vidovic requested remain on the property were stationary never to be moved and he lied to

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the judge about the earth moving machine called a Skid Steer or Bobcat and Mr. Fiore did not know what they were. Solicitor Fiore indicated he knows what they are and that is not correct and if Mr. McCullough is going to put something on record he needs to be accurate and that is not correct. Mr. McCullough replied he was accurate; if you read the transcript Vidovic says I cut the grass with it. He noted he sat in the back of the courtroom going out of his mind because that is impossible since the man doesn't have any grass. Mr. McCullough noted he (*Vidovic*) played the judge and the decisions the judge made are now coming back to haunt him and the residents of Prosser Avenue. The judge did not realize what he was doing from the description and use of what that equipment was. Cncl. Bryson noted he agreed with Cncl. Sebastian and Solicitor Fiore that Mr. McCullough should wait to see what happens at the October 15th court case because the legal opinion that comes out of that may favor him. Mr. McCullough noted in 2013 they went before Judge Lacovara seven times, twice Vidovic didn't show up and the judge ordered arrest warrants. The other five times we sat in the court room but the lawyer delayed it and we never went before the judge. He plays the system and while doing that he keeps everything at the house. **Cncl. Pres., Garbowski** polled Council and all members were in favor of waiting until after the municipal court case is heard on October 15th. Mr. McCullough noted it was not his intention to come off as being tough but his clock springs are getting a little wound with this guy because he has been assaulted, seven windshields have been broken, rocks thrown through his windows and someone tried to burn his house down so he felt he has the right to be just a little upset.

Engineer Chris Rehmann displayed a map of the Cecil Fire Department facilities. He went on to speak of the impervious coverage that was approved at the time the fire company was built (1982) and how, over the course of time, additional pavement has been installed. He advised that Gloucester County Emergency Management wants to install a communications antenna at the Cecil Fire House and utilize the prefab shed that the fire company uses for storage. He spoke of a building, which is a double-wide that was donated to the fire company by Friendly Village and how they are in the process of trying to sell it. There was a building used as a training center and all of them (*various buildings*) were added at some time. He explained there was a line on the plan called "*limit of the fill*" all the rest of the property is wetlands and we are in the NJ Pinelands and the Pinelands will not consider the application from Gloucester County to put that tower in, and the county has already issued the contract to erect towers throughout the county. Mr. Rehmann stressed that we have to come up with a solution so that Pinelands will allow this to occur (*installation of communications antenna*). He advised that he looked at the area, walked the area and tried to find out how to arrive at some type of compromise with the Pinelands. He did not want to represent to the Pinelands Commission without, at least, Council's tacit understanding of what we have to do. **Cncl. Sebastian** questioned what the problem was with the Pinelands, lot coverage? Mr. Rehmann responded, impervious cover that was never approved. We are in violation today, they want the violation corrected before they will allow the county to erect. **Mayor Gabbianelli** noted the violation was way before my time because we have not included any new paving down there, we have not done anything. The problem is once the county went to get their approval it threw up a red flag to the Pinelands. Just like when we

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put the building up at the Pfeiffer Center, we wound up paying for everybody's sins. This is the same scenario. **Mr. Rehmann** indicated what he would like to do because I would like to preserve the ability of the fire company to move off of Whitehall Road and back up into the building, *(he pointed out the location he was speaking of on the map)*. He continued, I would like to build or take a twenty-five foot wide driveway, eliminate some impervious coverage, take the area where they are now parking that is paved and eliminate that paving and put stone down in that area and take it out to the street so that they are parking on stone as opposed to impervious coverage. He continued to demonstrate on the map other ways with which he would like to proceed. **Mayor Gabbianelli** suggested we go up to the Pinelands to see what they want. **Mr. Rehmann** responded, they want it all out. The Mayor then noted we did pretty good the last time we were there and I say, we go up and have a meeting with them to see what is going on. **Mr. Rehmann** then attempted to explain, the option would be to go for a "waiver of strict compliance" this could be based on the fact this is for emergency services. Unfortunately, I can't meet the contract time period for the county because they need this done, available to be erected in ninety (90) days. He spoke with Dave Lubelski from the county engineer's office *(at this time several people were speaking at once, unable to discern what was being said)*. **Mr. Rehmann** continued to speak on the areas he would like to work on, while referring to the map. **Business Administrator, Kevin Heydel** questioned **Mr. Rehmann** if he was to do the plan and then you get to the point where the county can erect the county communication antenna/tower, now that you have that will that give you the right to go back and do other stuff on that. The mayor interjected, that you have to go back to the Pinelands for anything you do. **Mr. Heydel** questioned once you do that would you have firmer ground to stand on. **Mr. Rehmann** advised he would be going to the Pinelands next week along with the Mayor and wanted to make council aware of the representations, just explained, that would be presented to the Pinelands.

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

D.) NEW BUSINESS

Cncl. Bryson posed a question with regard to an email he received from a resident on Main Street. The mayor quickly advised this matter was being taken care of and it was on the front burner.

E.) OLD BUSINESS

Cncl. Pres., Garbowski spoke with regard to the RFP that was put out regarding Café Services at the Library and the fact there was no response. He advised he requested the Library Board to come up with some potential bidders to see if we can get some interested parties.

Cncl. DiLucia questioned the status of the tax card discount program and if anyone has even signed up for the program. **Cncl. Pres., Garbowski** advised they are still looking for sponsors to fund the printing of the cards. **Cncl. DiLucia** noted he was more interested

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E.) OLD BUSINESS (cont'd)

in the number of merchants who may have signed up for the program. **Cncl. Pres., Garbowski** there is not much response to date and we (*Economic Development Commission*) really have not been pushing it because we must get sponsors for the cards. **Cncl. DiLucia** questioned if it would make more sense to go out simultaneously seeking a sponsor for the cards and also inquire what merchants may be interested in the program. (*Very hard to discern what was being discussed as a number of people in the background were speaking at once, with Cncl. Pres. Garbowski requesting those who were speaking to leave the room*). **Cncl. Pres., Garbowski** then advised to his knowledge the EDC is working with the company to get sponsors (*Investors Bank*) they also have 20-25 businesses who have already expressed interest. **Cncl. DiLucia** requested to invite the EDC to attend a future work session to make a presentation on where they are in the process. He felt we need to be able to definitely say something to the residents, since we wet their appetites, now people are inquiring on the program.

Cncl. Bryson spoke on the "Precious Metals" ordinance and how he would like to bring forward some input on this as it relates to the minimum, the signing of the receipt and holding the properties in the evidence room as well as notification. **Cncl. Sebastian** noted this would be added to the agenda for the next ordinance committee meeting (*October 1st*).

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - None

H.) QUESTIONS REGARDING ORDINANCE SCHEDULED - None

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Sebastian** made a motion to adjourn the Council Work Session of September 22, 2014. The motion was seconded by **Cncl. Teefy** 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 September 22, 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 SW Date 10/13/14
Approved as corrected _____ Date _____