

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
OCTOBER 13, 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 – Deputy Clerk Sharon Wright led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson		Excused
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	Present	
Dir. of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick		Excused
Deputy Clerk, Sharon Wright	Present	

B.) MATTERS FOR DISCUSSION

• **Presentation Cecil Fire House**

Rob Conley of Robbie Conley Architect explained he was hired to perform a Needs Assessment and Efficiency Report for the Cecil and Williamstown Fire Departments and this evening he was in attendance to present to Council the findings of his report for the Cecil Fire Department and next month he will present his findings for the Williamstown Fire Department. He distributed booklets to Council which included the Needs Assessment and Deficiency Reports and presented drawings of four solutions and cost estimates for the design of the Cecil Fire House. He explained a portion of the existing metal structure will be demolished because it will not carry the weight of a second floor and a new masonry type structure will be built that will carry the weight of two floors providing approximately 7,000 square feet of additional space, which will accommodate their needs. The skin, metal siding,

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will be removed from the existing engine bays and the outside of that portion of the building will be refinished. Mr. Conley noted when he started this project he tried to keep within the basic footprint of the building and went through several designs trying to see if that area could meet their needs. But, that was not possible and later a previous approval on the property was found that allowed the building to come out an additional thirty feet on the side. Mr. Conley presented four different plans to council and explained each layout that included a lobby area, an elevator, a fitness area, ready room, kitchen, training room, lockers, showers, bunk rooms and office space. In the first plan the showers and ready room were on the second floor but Mr. Conley felt that was not a very good idea so he shifted that to the first floor and came up with a second design which kept the training room and some office space on the first floor leaving the second floor as the house area. He felt that did not flow very well so he came up with a third design that put all the house spaces on the first floor with the exception of the radio room and administrative space. In the third plan the ready room is off the entrance, the fitness area, bunk rooms and lockers in the rear and the training room and office space are on the second floor but the issue with that design was the training room became a long narrow space and if the room was turned people would have to go through it as the second means of egress so that did not function well. At this point is where he found additional footage could be picked up and by doing that it allowed the first floor to include a lobby area with stairs and elevator, the ready room, kitchen, a small corridor, lockers, showers and a small bunk room so all the operations would be able to be kept on the first floor. The second floor would be all administrative spaces, similar to the Monroe Township Ambulance building. Mr. Conley presented two different designs for the outside of the building explaining that both designs include the existing bell tower; one design has a little larger space for that than the other. The building consists of a two story masonry building and the existing façade will have masonry work around the doors and along the side. The metal will be removed and replaced with a dryvit or stucco type system that will last longer and hold up better. **Cncl. Dilks** questioned whether the building will still have a flat roof and Mr. Conley explained the new portion will be a pitched roof and the price will include re-roofing over the entire existing sloped roof. Mr. Conley went on to explain the design he feels works best has the extra square footage. The construction cost for that would be \$2,655,500.00, which includes the new construction, renovations on the shell of the existing building and demolishing a portion of it and a small amount of site work. After the soft cost of professional fees, legal reproduction, a 10% contingency the project cost would be \$3.18 almost \$3.2 million. The cost for the other designs is \$2.976, \$2.975 and \$2.981 that would be a savings of about \$200,000.00 but when talking numbers this high it makes sense to spend the extra money to get the added space and everything else needed. Mr. Conley explained when he prepared the needs assessment booklet he not only looked at the needs of today but also those of twenty years down the road. The plans include lockers, showers for decontamination and bunk rooms for the firemen to stay in the event of inclement weather. It is also important to have a separate chief's office for administrative purposes due to all the HIPPA laws. **Cncl. Sebastian** questioned what amount of extra square footage was picked up in the \$3.2 proposal. Mr. Conley noted approximately 7,000 square foot per floor. He also explained currently the cost for a public bid project is a little over \$200.00 per square foot but he projected the cost at \$225.00 per square foot figuring prices will increase because even if it was moved forward today it would take at least six months to get the drawings and

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everything else done to begin the project. **Cncl. Teefy** questioned where Mr. Conley got the approvals he spoke of. Mr. Conley explained this was originally a Pinelands project and when the existing building was built they had actually received approval for an extra thirty feet on the side of the building. When he found that out he looked at using that additional area instead of going up a second floor but that met losing parking spaces along the side of the building so it made more sense to go up since additional parking could not be picked up any where else. **Engineer Chris Rehmann** added Mr. Conley is talking about a 1982 approval that Cecil received when their original fire house burnt down. The approval included an additional expansion on the plan however at that time there was significantly less paving; none of the back or sides of the building was paved, it was all supposed to be stone. Unfortunately this site is filled wetlands and if a loaded pumper is driven on stone it will sink into the ground. The area was paved and now the Pinelands has issued the township a violation notice, as they consider any driveway, whether paved or stone as impervious cover. We have gotten them to agree that even the areas that were shown as stone on the 1982 plan can be considered impervious cover so we have resurrected behind the back of the building. **Cncl. Dilks** questioned Mr. Rehmann's feelings regarding extending the side of the building. Mr. Rehmann felt that could cause a problem because parking spaces would be lost. He noted he requested approval from Council to make an application to the Pinelands jointly with Gloucester County for the installation of an antenna to deal with the change in emergency services frequency. Buildings will need to be removed from the site but Skip Tomarchio has indicated the shed on the property is being used for storage so we are trying to keep that. The paving that is fifty-five feet from the building will remain but the rest will be removed and we may have to trim five or six more feet from the impervious cover. The contracts have been issued for the installation of the towers but this one will be held until last so we can make this application. The application is ready but we can make some quick changes to give additional five feet for the building. He felt twenty feet is a narrow driveway but hopefully the trucks will be able to get around in that area. Mr. Rehmann pointed out on a map of the area where plants would be put in and where stone would be placed over a textile fabric that helps with the weight of heavier trucks. He cautioned it may be necessary after the trucks drive over it to keep putting stone on until the area is stabilized. **Cncl. Dilks** questioned whether the Pinelands would have objections to installing heavy duty concrete pavers in the area the trucks drive around the building. Mr. Rehmann felt we could because blocks are now being used that water drains through but the problem with that is there is a very high depth to ground water, which is why the entire area is considered wetlands and we may have to plant some wetland grasses to make the Pinelands happy. Mr. Conley indicated he would give Mr. Rehmann the exact dimension of where they plan to extend the building so he can place that footprint on the application. **Cncl. Sebastian** questioned whether Mr. Rehmann was saying that if we put impervious concrete there the water level is so high that it might come back up. Mr. Rehmann explained through freeze and thaw we may lose it because it could move up and down, which would break it up. If we had three to four feet to ground water, the water would have a place to go. Now, it is just going to build up in that soil and we may have six to eight inches of seasonal high ground water. He noted they would like the pavement redone because some of it is fractured and Mike was in the process of doing something before the Pinelands threw a bomb in our front yard. **Cncl. Teefy** questioned if the weight of the proposed structure would hold on that ground. Mr. Conley noted he would

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have to double check with geotechnical core borings but he felt that he could do it with spread footings, which may be a little larger than normal footings. He explained that is one of the beauties of doing the type of structure that they are looking at rather than a post and beam construction like the existing building, which has point loads coming down causing them to have some larger footings. This is basically a wall bearing building that spreads that weight out over a larger area so the footings themselves and the foundations will not have to be as large as post and beam construction. Cncl. Teefy questioned Director Smart on when the new radio frequency is going live. **Director Smart** indicated the County is looking at next year some time, there is no definite date at this time. Cncl. Teefy noted the priority is to get the tower up first and then we can look at how this building fits in with it because we must meet that mandated 700 frequency. Mr. Rehmann explained he would like to get the extra five feet now but we could always go back to get what is called a "Waiver of Strict Compliance", which is probably a six month process asking them to waive their requirement because of the emergent nature of the services coming out of this building, the area around it and the response time. If it can be done without waivers and they agree to it without effecting the tower he would just have to make some tradeoffs. It is not going to be a satisfactory thing for the fire company because they would like a little wider driveway and additional parking places but we will do whatever we can. Mr. Rehmann noted the application will be submitted next week. Council questioned the parking situation and Mr. Conley advised there would be very little parking on the one side of the building. There will be parking in the stoned areas but very little on the paved areas. Mr. Rehmann felt the paving behind the building was more important so the trucks could turn around and that the block building will be better for the area since much of the steel building is rusting because we can't get the water away from it. Mr. Conley explained that is part of the reason why the entire bottom of the building will be block and the top portion will be stucco. With no further questions from Council Mr. Conley extended his appreciation for allowing him to make his presentation and noted hopefully he will see them again next month regarding the Williamstown Fire Department.

- **Title 39 Enforcement – Monroe Township Schools**

O: 19-2014 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 267 Of The Code Of The Township Of Monroe, Entitled "Vehicles And Traffic"

Solicitor Fiore noted Sgt. Burton advised him that Dave Sullivan of the Monroe Township School District requested Title 39 enforcement on school properties and this ordinance will amend the code to include all schools and will technically allow the police department to enforce Title 39 on those properties previously not included in the code. **Mayor Gabbianelli** noted in reviewing the ordinance he noticed that Shop Rite was not included on the list for Title 39 enforcement. Mr. Fiore reviewed the current code and indicated the Mayor was correct and that should be added to the list. He also recommended adding Sunny Estates, Summerfields, Summerfields West, Sunny Estates, Barclay Estates and the other Guzzo properties and explained those properties could be included in the ordinance but between first and second reading the township must get letters of intent from the property owners. The Mayor noted Title 39 enforcement was done for Shop Rite a long

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time ago, he remembers because he was a policeman when it was done and wrote fire zone tickets there every day.

- **Purchase Of Rescue Truck**

R:173-2014 Resolution Of The Township Council Of The Township Of Monroe, Authorizing The Township Of Monroe Pursuant To N.J.S.A. 52:34-6.2(b)(3) To Become A Member Of The Houston-Galveston Area Council (HGAC) Cooperative Purchase Program

Cncl. Sebastian explained R:173-2104 deals with joining the HGAC Cooperative Purchasing Program for the purchase of rescue trucks, fire trucks or any other type of emergency equipment and it is similar to the cooperative we joined to purchase the lights for the Owens Park baseball fields. When a municipality is a member of a coop it does not need to go out to bid; it is the same as purchasing through State contract. The State of New Jersey is already a member of the HGAC and any municipality within the State can now file for membership with the HGAC to purchase equipment through that program. A representative from the Campbell Company gave Cncl. Sebastian this information and the Pierce Company followed up with the same thing. All these companies are members of the HGAC and the specifications for the vehicles being made are meeting the requirements of the States that are members so it is similar to a state contract. The first step is for the municipality to join the HGAC whether it is used or not to purchase equipment. Council questioned whether Public Works trucks could be purchased through this coop. Mr. Heydel didn't know if they had that type of equipment. He advised he just read over this contract. It must be executed by the Chief Executive Officer and is a venue for the township to purchase without going out for bid. Council questioned whether it had a yearly renewal. Mr. Heydel advised that it did; this contract is good until the end of 2014. He explained there is an administrative cost of approximately \$2,500.00 billed through the vendor on anything that is purchased, the township pays nothing.

O:20-2014 An Ordinance Of The Township Of Monroe Appropriating A Sum Not To Exceed \$525,000.00 For The Purchase Of A 2014 Pierce Rescue Vehicle

Cncl. Sebastian explained Cncl. Bryson the chairman of the Public Safety Committee wanted to move forward with this ordinance to purchase a rescue vehicle because in doing this it holds the Pierce spec vehicle that is on line. When the Ambulance Association was in Wildwood they went to four or five different agencies looking for the cheapest, quickest way to replace the twenty-three year old rescue truck and Pierce had a twenty-one foot box with a six man cab on the line coming out as a spec vehicle that was to be used as a demo. Campbell had none, Rescue One had two trucks on line that were eighteen feet nine inch boxes. The truck we have now is seventeen feet six inches so they would not add any additional space to move into the future. When the ambulance squad sat down and went through the specifications on the Pierce they felt that truck could work to carry all the equipment we have for heavy rescue. Purchasing the vehicle this way will save close to \$100,000.00 rather than going out for a custom built truck that takes 350 days to build and

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if this ordinance is moved forward for first reading Pierce will hold the vehicle for Monroe Township. **Mayor Gabbianelli** noted the township would still have to be a member of the HGAC so this is putting the cart before the horse. Cncl. Sebastian explained no that is why the resolution will be read first. All this is doing is putting the ordinance in place to spend the money whether it is spent now or later whatever the case may be but first we have to get in the HGAC and that is why the resolution was put on first. This first reading would be tonight, the second reading would be October 27th and then the signing of the contract would take place sometime after that. This is just allowing the purchase. He requested the ambulance squad correct him if what he was saying was incorrect that the rescue truck is a twenty-one foot box, with a six man capacity, it is a walk around instead of a walk in, which gives the association the ability to store equipment on the truck rather than having the people in the back of the truck. He noted the Public Safety Committee (Cncl. *Caligiuri, Bryson, Sebastian*) went through the current rescue vehicle with the Ambulance Chief and Rescue Captain and most of the space on the inside of the truck is just to walk in and out of. There is a bench seat on the side that might hold four people but once they get inside and are trying to put their gear on while going down the road it is not a safe condition to the point where companies are making less and less walkins and making more of the walk arounds. With the walk around truck when you open up the cabinet the first two cabinets behind the cab of the truck go all the way through the vehicle so you have all that storage and it rolls out on both sides. There is another compartment in the center of the rear that goes halfway up so all the available space on the truck is used for equipment. There is also a ladder that goes up to the top of the truck where there is more storage along both sides for more equipment. This truck has a six man cab like the fire trucks where two men sit in the front and four in the back; two facing front and two facing the back. This allows people as well as the gear to be carried and all the twenty-one feet in the back is for rescue equipment. There is a lot of equipment required for heavy rescue to the point where some of the equipment the squad now has is kept in the storage room because it does not fit on the truck and that is an issue. Cncl. Sebastian stated Bob Avis checked out our current rescue truck in regards to its safety. The Mayor stated he would be reporting on that under the reports portion of this meeting. Cncl. Sebastian noted he didn't know whether Bob noticed it but the springs are down two inches from the load that is currently on the truck. Township mechanic **John Tucker** stated the springs are down one and a quarter inches due to all the weight being on the right hand side of the truck. Cncl. Sebastian noted if we went with the twenty-one foot truck the equipment weight differential would be different. He noted the main issue for putting this ordinance on the agenda tonight was to hold the truck because if we lose this truck we will have to wait a year to get another one and it could cost \$100,000.00 more. He added from being on council he knows purchasing a new rescue truck has been put off for five years. The purchase of a new rescue truck is on the six year plan and on that plan it was based at \$600,000.00 and this is coming in at \$525,000.00 with a trade-in of \$25,000.00.

Cncl. Teefy noted Council has no report in front of them regarding the condition of the current rescue truck. Last year when the lights for Owens Park were discussed we had reports in front of us telling us the lights were bad but we went back and forth and had the

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engineer check it out again, which spent more money. This is spending money and there is no report on whether our truck is good or bad, no one formally investigated this truck.

Mayor Gabbianelli reported the truck has been out of service for a week because Mr. Bryson made a comment at the Ordinance Committee Meeting that it was unsafe, the springs were cracked. Unfortunately when he gives his report on that tonight Mr. Bryson is not here to get the answers. **Cncl. Dilks** requested to hear that report at this time. Mayor Gabbianelli reported as per his request an independent vehicle inspection was conducted by Bob Avis and John Tucker (*both in attendance at the meeting*) using the DOT report 49CFR Part 396, which is the form anyone would use to inspect that vehicle. There were no mechanical or structural issues revealed during the inspection; only minor issues were documented in the report. Some emergency lights were out, several required replacement and a couple are still out because parts had to be ordered. There were no safety issues which is why the truck went back today. The only reason the truck was held is because the rear tires were bad but today, those tires were picked up instead of waiting for delivery and that work was completed. According to this report the back passenger compartment contained some unsafe equipment but that was because squad members had not properly secured it. The Mayor noted he had a report from Mr. Avis that he would copy Council on and also a report from Mr. Tucker. Bob inspected the vehicle Wednesday and on Thursday Tom Accoglio (*Chief's father*) called the Mayor to say Hurst Tools came to service the equipment so nothing further was done with the truck until that was completed. On Friday John inspected it using the same inspection process. The rescue truck is twenty-three years old and has 18,000 miles on it. Since January only 400 plus miles have been put on it so a whole lot of miles is not put on that vehicle. In speaking with Bob and the other mechanics it might be a little slow but it still gets there and according to John's inspection the only unsafe condition he found was in the crew compartment due to the loose gear, battery chargers, bags, etc. The suspension was okay, the springs were painted so the cracking on the springs was from either the paint or undercoating cracking. The springs are safe. The comment Cncl. Bryson made was in regards to the springs, which is why when he (*the mayor*) found out about it over the weekend he came in Monday morning and listened to the tape and decided to make sure that vehicle was checked for safety. The report stated the suspension is okay, the springs were painted, it needed rear tires, lights were out, the left front flasher was out, right CID light was out, clamps slightly leaking were replaced and it noted what bulbs were changed in the vehicle. Parts that are needed were ordered and by the end of the week those parts should be in so the lights can be repaired. The Mayor noted that truck has not been out to the Road Department for service since January except for the inverter. He added he just received this report this morning and now Council is also aware of it. **Cncl. Caligiuri** noted when the Public Safety Committee looked at the vehicle he was told it could not accommodate some critical equipment that should be on the truck and at that time he was told there was some equipment on the truck that could be potentially moved off. He questioned if there would be enough room for the critical equipment to be moved onto the truck if the other equipment was removed. **Cncl. Sebastian** noted that has been done in the past, which is how the Fire Department got rescue equipment on the fire trucks but that

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is not the issue. The issue is we have large airbags to lift commercial equipment and that will not fit on our truck. He added we are looking to moving into the next twenty years and now we have an opportunity to get a truck coming off line at the end of October that will get us there at a \$100,000.00 savings. He added if we want to go back in history the Fire Department came to Council requesting a new ladder truck in 2008 because the 1995 truck couldn't be fixed so we spent \$900,000.00 plus to purchase a new ladder truck when the old one is still in service in Pennsylvania. He noted he is not arguing that point because he was a councilman then who voted to purchase the new ladder truck because it was something that would go into the next twenty years and that's where we are now with the ambulance squad. They have been asking for a larger vehicle for a number of years and we keep putting them off because we always had other concerns such as more fire trucks and the rescue/pumper for Cecil. Cncl. Sebastian noted he had no problem with that and voted for them; that is not the issue. Now we are dealing with a public safety issue that has to go into the future. Mayor Gabbianelli noted it is not a public safety issue because the vehicle is safe. Cncl. Sebastian indicated he was not talking about the safety of the vehicle, he was talking about the equipment that is not on the vehicle that could be used on the road in a commercial motor vehicle accident. So if this is looked at from a public safety viewpoint the same way we did for the fire trucks we are now in the same position where we can do the same thing for the ambulance squad to get a rescue truck on line, spec built. The squad looked at the specifications and the drawings and said they could make the truck work by making a couple adjustments because what they are looking for is the space and a truck that can carry the load. Cncl. Sebastian noted he would like to move forward with the first reading on the ordinance to hold that truck. **Cncl. Caligiuri** questioned whether Cncl. Sebastian had seen Chief Jacobi's email. Cncl. Sebastian noted he did see it but this is only first reading, there are no comments and they can talk about it as much as they want at the second reading. Right now we are in a position that according to the Pierce representative if we approve the first reading and give them a copy Pierce will hold the truck. Cncl. Caligiuri questioned if there would be any penalty involved if they held the truck and second reading did not go through. Cncl. Sebastian replied no, they would just put it back on line, they are not going to stop that process unless we show some intent. Cncl. Caligiuri questioned what the mayor felt about this if the ordinance was approved would it be likely that the money would be used to acquire another vehicle. Mayor Gabbianelli noted he will not be here in January; there will be a new mayor and three new councilmen and he felt they should have some input in this entire thing. He added that is his problem with this because he is not going to sit here and spend money that will put a burden on the next administration because what they are facing is bad enough. Cncl. Caligiuri noted he is trying to make an educated decision but he doesn't understand how this all works since his education is in water treatment, which is why he is asking. He added 18,000 miles does not seem to be a lot of miles and that is what he is wondering about. Cncl. Sebastian noted he would try to put it into perspective so everyone understands and gave the scenario of a family of two with a Volkswagen with 6,000 miles having a set of twins. The point is a bigger vehicle is needed to carry the equipment that is required for heavy rescue on a commercial motor vehicle accident. He added if he is

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misspeaking someone should tell him because he is speaking from his experience as a member of the ambulance squad for 34 years and rescue for 32 years and the issue is you have to have the equipment to do the job. The squad has always worked with us, has backed up the fire department and worked the football games and things like that and now they are coming to us saying their vehicle is no longer sufficient due to the size it will not hold equipment they still have in the closet to handle a commercial motor vehicle heavy rescue. Cncl. Caligiuri noted he gathered that from everything he heard; adding he was in the truck and does not want that job. He explained he is inclined to put it through for first reading to give everyone the benefit of the doubt but would like to hear the other side of the story because there is always two sides. Cncl. Caligiuri added Jacobi has some points and he respects him and would like to get his opinion as well. Cncl. Sebastian had no problem with that; noting the point he is trying to make is that Chief Jacobi could give his opinion between now and the second reading of the ordinance on October 27th. The big issue is just moving the ordinance for first reading in order to hold the vehicle as it must be looked at as saving \$100,000.00 as well as spending the money for the vehicle. Cncl. Sebastian explained the squad went through the specs and eliminated certain things such as a chrome bumper. Mayor Gabbianelli explained certain things are required such as chrome wheels because of the braking system. We learned that when we bought the fire truck and tried to buy an undressed fire truck but there were certain things that had to be dressed. Cncl. Sebastian explained this truck was coming off line like a Rolls Royce and the squad cut a number of things to get the truck cheaper and as a member of the Public Safety Committee he recommended we move forward on this to hold the truck. **Cncl. Teefy** noted he would like to see the report and Mr. Jacobi's email, which he did not have a chance to read and would like to know how many rescue calls have been made in the last two years by the heavy rescue truck of this organization. Cecil has a heavy rescue also and a rescue/pumper was purchased for that situation and he would like to see these organizations work together on rescue, as that would be in the best interest of the town and a way to save money. Cncl. Teefy referred to Cncl. Sebastian's comments regarding saving \$100,000.00 and noted he could save \$525,000.00 by not buying the truck. He added Mrs. Stevenson has come here regarding her flooding problem on Lois Drive that can't be fixed because Council told her at the last meeting we don't have the money and now we are going to turn around and tell her \$525,000.00 is being spent on a rescue truck but we can't fix her problem of flooding out after every rainstorm. He questioned how that is going to look for Council when we are telling her there is no money and then the next week we have money; that is not good business for the people of this township when we have a rescue vehicle that has been deemed safe.

Cncl. Teefy made a motion not to move the ordinance forward to first reading. **Cncl. Caligiuri** seconded the motion.

Cncl. Dilks made a motion to move the ordinance forward for first reading. The motion was seconded by **Cncl. DiLucia**.

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Solicitor Fiore advised Council had to vote on Cncl. Teefy's motion first. **Cncl. Pres., Garbowski** poled Council and the vote was as follows:

Motion not to move Ordinance O:20-2014 forward to First Reading - 2 Ayes (Caligiuri and Teefy) 4 Nays (Dilks, Sebastian, DiLucia, Garbowski)

Motion to move Ordinance O:20-2014 forward for First Reading - 5 Ayes (Caligiuri, Dilks, Sebastian, DiLucia, Garbowski) 1 Nay (Teefy)

C.) PUBLIC PORTION

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

D.) NEW BUSINESS

Cncl. Pres., Garbowski noted he received an email from the head of the FOP, Andy Pease stating they are not getting the dental coverage that they negotiated. **Mayor Gabbianelli** advised the Business Administrator is working on that and has contacted Andy. He added that is their opinion, he has the same benefits and negotiated that contract when he was on their side. They want to begin negotiations but Mayor Gabbianelli indicated he does not want to do that now because that should be left for the new mayor to handle.

E.) OLD BUSINESS

- **Green Avenue Street Light**

Cncl. Teefy reported he went to the site to take a look at the situation and to make sure the pole numbers were correct. He noted this decision is a no brainer because to install the lights on the two poles with transformers would cost \$600.00 each and the pole in the middle without the transformer would cost \$4,100.00. There is also another pole down the road where a light could be installed in the future but for now two lights should be installed on the poles with the transformers. The issue is Green Avenue is very dark and people using drugs in the town are going out there to be in the darkness so installing these lights will be a help for that neighborhood. **Cncl. Pres., Garbowski** questioned if that authorization had to be done by resolution. **Solicitor Fiore** advised the Clerk can order the lights, no resolution is needed. **Cncl. Sebastian** questioned whether **Cncl. Teefy** felt the two street lights would be sufficient to cover the area where the light was requested. **Cncl. Teefy** replied yes they would. **Cncl. Pres., Garbowski** polled Council and all in attendance were in favor of installing two street lights on Green Avenue.

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F.) COMMITTEE REPORTS

Mayor Gabbianelli reported the Police Department was certified for their accreditation and the township started the Tax Collection Shared Services agreement with Franklin Township. This is the second Tax Collection Shared Services agreement in the State but ours is broad because we are collecting the taxes. The other one is in Barnegat and Point Pleasant and that tax collector is just signing off. Here our girls are doing the work and so far it is working out. Joanne Potopchuk goes to Franklin a certain number of hours per week and if that office is closed those taxes are paid here. There was one issue but it was handled and Joanne is doing a good job.

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED – 10/13/14 - None

H.) QUESTIONS REGARDING ORDINANCE SCHEULED – 10/13/14

Cncl. Teefy noted when Ordinance O:18-2014 (*SSA Franklin Township Tax Collector Additional Staff*) was approved to move forward from the Ordinance Meeting he made the motion to go with Kevin's original proposal, which was \$1,000.00 for two support staff and everyone agreed to that; it was not for a range of \$400.00 to \$1,000.00 for additional staffing. **Cncl. DiLucia** noted there was discussion regarding people other than those receiving the \$1,000.00 stipend helping that office during peak times and Kevin said the compromise would be to create a range for them from between \$400.00 and \$1,000.00 because we did not want to use the word "*prorata portion or prorata benefit*". **Business Administrator, Kevin Heydel** explained the \$1,000.00 is for the full time people, it does not provide any leeway to give someone that goes into that office for 25 hours an extra 48¢ per hour due to the shared services agreement. They do get 43¢ an hour more for working out of title in accordance with the collective bargaining agreement but this is something over and above the collective bargaining agreement. **Cncl. DiLucia** noted just to clarify this, there are two different issues; one is that there is a collective bargaining requirement that when someone goes in on a temporary basis they get the additional money. But what we were saying because we wanted to create an equitable situation if we were giving some people a stipend for doing additional work than the people that come in on a part-time basis should also be compensated. He noted his calculations may not be exact but half the time would be equivalent to 48¢ per hour so if someone went in there for 500 hours they would be paid 48¢ an hour times 500 but **Mr. Heydel** noted he would prefer a range of \$400.00 to a \$1,000.00 because that would give him the proration differential. **Cncl. DiLucia** noted his understanding was there was a consensus and agreement to move that forward, which is different from **Cncl. Teefy's** recollection not to move it forward. **Mr. Heydel** noted he did not know what the consensus was but he felt the range gives him flexibility however that is Council's decision. **Cncl. DiLucia** noted council can vote for this or against it or amend it to drop the \$400.00 he didn't care but that was his understanding on the issue. **Cncl. Teefy** noted he made the motion for \$1,000.00 with no range for the two people in the office doing the work and the person coming in at certain times is already getting a 43¢ an hour bump. He questioned with the \$400.00 would that person be getting the 43¢ bump as well as the 48¢ per hour. **Cncl. DiLucia** replied no, as he understands it the 43¢ bump is because they are working in a higher title and that takes

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them to what the other people were getting for that work without the \$1,000.00 stipend. Cncl. Teefy noted but they are doing it throughout the year. Cncl. DiLucia explained the other person is doing it for a percentage of time, whether it is half the time or a quarter of the time and Council's feeling was that they should be compensated for that time just like the full time people are. The whole concept of it was that if employee A is getting compensated for that work employee B that does it less hours but does the same work should get the same hourly compensation and that is open to a vote. Cncl. Teefy noted the motion he made and Council all agreed was the original proposal by Kevin but if Council wants to change that he will amend his motion. Discussion continued in regards to Cncl. Teefy's motion at the Ordinance Meeting and whether or not the ordinance should include the flat \$1,000.00 or a salary range. **Cncl. Pres., Garbowski** felt the ordinance should not be changed because it gives the business administrator latitude to pay whatever and **Cncl. Dilks** recommended checking the minutes or tape to see what did transpire at the Ordinance Meeting. Cncl. Teefy questioned if no motion was made to change the ordinance would anything be delayed if it didn't pass right away. Mr. Heydel replied no, he needs the ordinance to pay the people that have already started the job but as long as the ordinance process is started he can pay them. The ordinance can be backdated to an effective date so it doesn't matter as long as it is adopted by the end of the year. **Solicitor Fiore** advised the ordinance is effective October 1, 2014. Cncl. DiLucia questioned would the administration be able to defend that position if the collective bargaining representative comes in and says these employees are getting "X" an hour and we want the same compensation for the employees that were getting 43¢ an hour. He noted Mr. Heydel can talk to his attorneys before answering that question but he felt that could not be done. Mr. Heydel noted he didn't know but right now but he is bound by the contract that if a person works in a higher grade title a certain amount of time they are entitled to the difference between their salary and the next step in that higher grade title, which is the 43¢. Cncl. DiLucia suggested to avoid the council having a debate over this Mr. Heydel ask legal counsel if they could defend it, as he felt they would be unable to. Cncl. Sebastian questioned the Solicitor whether it was true that when a range is included in a salary ordinance it is up to the administration to pay whatever they want to pay. Mr. Fiore noted there is no question about that but Rich's question was different. That issue cannot be defended but Kevin can ask the labor attorney about that. Cncl. Sebastian made a motion to amend the ordinance to include a salary range of \$400.00 to \$1,000.00 and the future mayor can do what they want subject to the collective bargaining agreement.

Cncl. Dilks noted if Cncl. Teefy made a motion and Council voted on something that everybody did not understand then he would have an issue with that. Cncl. Teefy noted he had no problem if council wanted to change it.

Solicitor Fiore advised procedurally there would be no problem moving it forward the way it is or it can be tabled until someone checks the Ordinance Committee minutes or the tape. **Cncl. Pres., Garbowski** questioned if it is moved forward tonight for first reading could the ordinance still be amended. Solicitor Fiore advised that it could be amended because it is not a substantial change and the amount would not be increased. Cncl. Pres.,

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Garbowski noted then the ordinance will move forward and we will find out what was agreed to at the Ordinance Meeting.

Cncl. Sebastian made a motion to move the ordinance forward for First Reading with the salary range of \$400.00 to \$1,000.00. The motion was seconded by **Cncl. Dilks** and approved by all members of Council in attendance.

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Caligiuri** made a motion to adjourn the Council Work Session of October 13, 2014. The motion was seconded by **Cncl. Dilks** and was unanimously approved by all members of Council in attendance.

Respectfully submitted,



Sharon Wright, RMC
Deputy Clerk



Presiding Officer

These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of October 13, 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 10/27/14
Approved as corrected _____ _____ Date _____