

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
FEBRUARY 23, 2015**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President Frank J. Caligiuri** 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. DiLucia** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Marvin Dilks		Excused
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Frank Caligiuri	Present	
Mayor, Daniel Teefy	Present	<i>(Arrived 7:06PM)</i>
Business Admin., Kevin Heydel	Present	<i>(Arrived 7:06PM)</i>
Solicitor, Charles Fiore	Present	
Engineer, Dave Cella, ARH	Present	
Dir. of Public Safety, Jim Smart	Present	<i>(Arrived 7:12PM)</i>
Dir. of Code Enforcement, George Reitz		Excused
Dir. of Public Works, Bob Avis	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION - None

C.) PUBLIC PORTION

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

Joe Kurz, President of the Williamstown Fire Company spoke with council advising them last year the Fire Company met with the Public Safety Committee to go over some renovations to the fire house. Now, since the council has changed and there is a new administration he requested to schedule a meeting with the current Public Safety Committee

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(*McIlvaine, Dilks, Heffner*). **Cncl. McIlvaine, Chariman of the Committee** advised he will coordinate with the committee members and would get back to Mr. Kurz with a date.

Greg Wolfe, 1104 Exposition Drive approached council then thanked Cncl. Heffner for getting back to him and making himself available to Mr. Wolfe as a taxpayer. He advised that he was in attendance with regard to the Amberleigh development, apparently letters were sent out to all the residents (*just today*) advising that the township council was going to pass an ordinance dealing with "no parking" on the streets. Mr. Wolfe then went on to say that he understood when the homes were built/sold, they were sold as "no parking" on the streets. He went on to say that he was willing to bet that 90% of the people who purchased homes did not know that or they did not read the fine print. This is obviously a major problem and as I am in law enforcement (*police officer*) for Monroe Township and it is definitely a safety concern. There are cars parked on both sides and the problem we have is there is not enough parking. In speaking with the HOA (*home owners association*), basically what was said was to park up front where the club house is located. This option, for some of the residents, could be a 3 or 4 block walk. Mr. Wolfe noted he understood that by-laws have to change but in order to get those changed there has to be 67% of the residents in the association to vote on it. He continued and noted the condos have an overwhelming amount of parking with probably one half of the residents who are not going to come out and vote, so the bylaws will never get changed because the people who live in the condos aren't going to come out and vote as it does not affect them. The people that live near the club house aren't going to come out and vote because it does not affect them as there is plenty of parking in that area. The problem is Exposition Drive, especially around the back, does not have enough parking. Mr. Wolfe continued noting he was aware there was a site plan and approvals done and he knows they went with a minimum street width and myself as a resident and a taxpayer is asking "*how do we fix the problem?*" You can't just come in and say there is no parking, I understand that it is a safety concern and I agree with it 100% but there has to be some type of resolution between the township because the plans were submitted here, they were ultimately approved by the Planning Board and the engineer and they had to anticipate this problem especially with the amount of residents and the amount of cars coming in there and the minimal amount of parking put in, it is really a disgrace. They sold these homes as two driveway homes and you can fit one car, you may fit two but then you are blocking the sidewalk which is also in violation of Title 39. They say you have a garage however you must keep your trash cans in the garage. Now, I agree you can definitely pull into the garage but you just can't get out of your car. Mr. Wolfe then questioned who he would go to for copies of the original site plan. **Cncl. Pres., Caligiuri** indicated that would be the Planning Board office. He then noted that he had some thoughts about this and I know the dilemma you are going through with this. He noted Mr. Wolfe was right and he absolutely agreed with him as he has been through the development. Mr. Wolfe then added it is definitely worse at night, there are definitely safety concerns but there is also a concern for the residents questioning where they are going to park. The response to this from the association is that they don't

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want to put in additional parking because it will cost additional money. **Cncl. Pres., Caligiuri** noted he was thinking about that because there would appear to be enough room for additional parking. **Mr. Wolfe** responded, there should be, but again you need 67% of the people to come out and vote and they are not going to come out and vote because it does not affect them, it only affects the one street (*Exposition Drive*). **Cncl. Heffner** then advised that he attended a meeting and was told the condo association had their own separate association. There are two separate associations one for the condos and one for the homes. So in that case you would not need the condo association to come out and vote on this. **Mr. Wolfe** then noted even still he felt it would be a hard sell because *Matisse Way* doesn't have a problem, the people who live near the club house do not have a problem, anyone who lives near one of the six parking spots they have for overflow parking are not going to come out to vote. He added you are kind of at a disadvantage, it is going to be almost impossible to get 67% to come out and vote to change the bylaws which will probably cause an increase in the association dues which I am sure the people with the problem have no problem with paying more in association fees. Not that you want to but if that is going to be the issue I would rather pay more in association dues than walk three blocks to the club house for parking, especially in the kind of weather we are having now.

Cncl. Bryson then questioned **Dave Cella**, when the plan was changed and suggested to council to approve it was with one-way streets, correct? **Mr. Cella** responded no and explained the approved plan as of today is one-way through the Planning Board, we are still on *no parking throughout the entire development*. He continued noting we have done a concept that goes one-way and allows parking on one side. Now that needs to be handed to the homeowner's association and then go back to the board and try to get an amendment. **Mr. Wolfe** then again added his comments on the 67% needed to vote on this noting that this will cost more money so the association fees are going to go up. He added the guy that was in charge already said we don't want the association fees to go up as we have one of the cheapest around. **Mr. Wolfe** then said, he would love for that but again if it is a parking problem not only for myself, but for other residents, if that's what's gonna happen, then that's what's gonna happen. He went on noting we are kind of almost held hostage here, even if you go with one side of parking I still think more parking will need to be added. This is because there are a lot of driveways, and they are double wide and because the neighbors are so close there is really minimal parking even on one side of the road. He then posed a few questions, one being to see if the township would possibly help the association maybe to assist in paving roads to keep costs down to perhaps get a majority to vote for this thing. **Cncl. Pres. Caligiuri** then noted a thought came to mind, if the township were to contribute the engineering and permit fees and the HOA would only be responsible for say the construction costs. However this is something that has not been decided but if that were to happen do you think that is a viable option. **Mr. Wolfe** responded, for me it is. He then questioned if there were any deviations for the original site plan. **Cncl. Pres., Caligiuri** responded, to his knowledge there haven't been and he would have seen such as he is on the Planning Board. **Mr. Wolfe** again questioned, when it was approved by the engineer, did the engineer make

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any recommendations or changes. **Cncl. Pres., Caligiuri** noted there is something called the RSIS (*Residential Site Improvement Standards*) and the developer essentially has to conform to those standards, and if he does then there really isn't good reason to reject the application. **Solicitor, Charles Fiore** then cautioned you must clear as there is discussion of a prior approval and he felt Mr. Wolfe is talking about now (*present time*). The prior approval was reviewed by the Planning Board engineer and it was approved. Mr. Wolfe questioned were there any recommendations made at that time (*prior approval*). Mr. Fiore indicated that we would have to pull out the Planning Board file to see if there were any. **Cncl. Pres., Caligiuri** advised not that he knows, and I was there during the application process and I kind of remembered the application to some degree and again if the developer turns in something that meets RSIS standards and with respect to parking they do a calculation based on the number of bedrooms and number of units and things like that. You can't technically reject the application based on the inadequate parking. There was some discussion back and forth with respect to an engineer's recommendations and the minimal width of the streets. Mr. Wolfe then spoke regarding the handicapped parking and he understood that if you are handicapped you need that spot. The sidewalks are up to code but a lot of those spots are empty, so is there something they can do with this. **Solicitor Fiore** noted this is something we had discussed during one of our meetings and he spoke with respect to the Americans with Disabilities Act as it requires, even though someone may not be using the spot, one parking place per so many units. **Engineer, Dave Cella** then noted there is a requirement. He then noted a question he had at the last meeting was that he was under the impression that something had been passed with regard to the 67% figure and eliminating some handicapped parking. Again, he stressed the statute will dictate but he was curious whether or not we can maybe remove one space at each location. Mr. Wolfe then noted again you are talking two spots in a three building area. The solicitor then spoke of a meeting that took place maybe sometime last year where the board was going to go back to the association and pinpointed certain areas where they were going to add parking. Unfortunately, for some people in the end units it would affect them the most. There was then discussion on the placement of the possible additional parking. Mr. Fiore advised that the property manager represented that because of the money issue and because of the placement of some of the spots where basically head lights were going to go right into someone's living room, as well as costs being a prohibitive factor they were opposed to this at this point in time. Mr. Wolfe then noted that basically the people that have ample parking are controlling the whole development and will come out and vote against it and you won't get the required 67%. Mr. Fiore questioned if a straw poll had be taken. Mr. Wolfe indicated that to be honest he had just received the letter regarding it today. Again, I am not here to say let us park on the street but there is a definite concern and there has got to be some type of solution as we are basically being held hostage by the association. He was there to ask town council to help maybe mediate a better solution for everyone.

Cncl. Bryson referred to the proposed solution that, at least, I saw regarding the one-way street and perhaps parking on one side and questioned Mr. Wolfe if that would be

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acceptable. Mr. Wolfe indicated to me it would be however he just did not know if you would get enough people to vote for it, that is the issue. He then questioned the solicitor if the township could dictate to go in there and say we are making Exposition Drive a one way street and parking on one side or do you need the association's approval. The solicitor responded that the association would have to approve it but right now it is no parking, unfortunately. He added he knows the mayor has been working on a solution, the engineer's office has been discussing this for the last couple of years knowing this day would come because it is an approved sub-division with no parking. Mr. Fiore spoke on the roads being private adding this is a different situation due to it being an association. The solicitor advised that he received a letter from the association with respect to enforcement of "Title 39" requesting this enforcement within the private and semi-private areas of the development (*Village Townhomes at Amberleigh Condominium Association*) on their streets. There was a question posed as to whether or not the association received 67% to authorize Title 39 on the streets. The solicitor then noted, either way, there is to be no parking on either side, we are adopting the ordinance. The issue with the 67% with regard to Title 39 may be an issue the residents want to take up with the association. Mr. Fiore advised they may have the authority just to send a letter adding the association has their own attorney and they may have received counsel on that issue. Mr. Fiore then noted, let's assume there was to be additional parking and the board wanted to come forward with an application, that would go before the Planning Board to *void* the no parking on the streets (*It would have to be a formal application before the Planning Board*). Mr. Wolfe then noted again this is not the ultimate goal here because then again it is a public safety concern at that point. The residents just want to alleviate whether it is one side parking or put more parking spaces in between the buildings. The solicitor then added what he felt should done is a straw vote (*poll*) should be taken, this will not be precise and go back to the board. Now, again they represented to us that this is going to be cost prohibitive and they had approached some people on the corner (*around the circles*) on the small ingress areas where perhaps they would add 10-12 parking spots and it was represented that it *was not* accepted.

Cncl. Heffner then noted the people that do have ample parking I do believe they will come out to vote only because we've been very lucky, we haven't had a fire in there. If in the event a fire were to happen and we did not enforce our ordinance we are going to be on the hook, we are going to be liable and all the people that said they won't, they will sue us in a heartbeat. So, even though they have parking they will still be screaming because they still can't get a fire truck down the street to their house, even though they have a spot for parking. Right now this matter has finally come to a head and we are forcing the issue, we are forcing the homeowner's association to do something about it. **Cncl. Heffner** continued and noted he had no problem saying it is a bad development and he uses it as his example every time we have a developer come in, I don't want another Amberleigh, I hate the way it is set up. However, we as well as the homeowner's association are stuck with this problem. The township is going to do our job and force this ordinance and hopefully the association is going to come up with a resolution. We will work them but we have to protect our interests and our interest is public safety, not parking right now. He understood it sounds cold-hearted

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but if it was your house burning to the ground and we can't a fire truck down that road someone will be flipping out at us.

Director of Public Safety, Jim Smart advised just so everyone has the history on this he explained the one-way street actually came as a recommendation from here (*township*) in the hopes of alleviating the problem until we ran into the roadblock, that being the 67% issue. We actually would prefer to see that only because we understand that the no-parking is going to me nightmarish. This conversation started last year, followed up again this year, and we met with the homeowner's association and again last year we talked about the additional parking and it took until now to take a look at it. Mr. Smart continued the one-way street was proposed by the township so you could park on one side but only have access going in one direction. The whole idea from the last meeting was that the goal was to enforce the no parking in hopes that it is enough of a nightmare for everyone that they would vote on the one-way routine because ultimately that is the (*inaudible*) answer. Mr. Smart then added that we (*township*) met with them approximately one month ago and have had multiple meetings with the homeowner's association with the solicitor, engineer, Chief of Police as well as the traffic division in attendance.

Kevin Hutt, 1501 Exposition Drive was in attendance to speak with respect to the handicapped parking adding that where he lives is probably one of the worse sections along Exposition Drive, it is located in the back section. He then spoke of the overflow parking across from his unit had five (5) spots however three (3) of them have been designated as handicapped parking. Mr. Hutt noted he understands this but there is one vehicle that parks there and the other spot remains empty and the other spot is for the off-loading of vehicles which remains unused. Basically you have all the neighbors fighting over the two (2) spots and whoever doesn't luck out and get the spots ends up on the street. Mr. Hutt noted personally he has taken to just parking down about a block away and he doesn't mind doing this but his wife does mind as she would rather be closer to the house. He felt the one-way street resolution sounds great as he has children that play out in the street all the time and he would love to see this. Creating additional over flow parking also seems like a good option adding he lives in an end unit and he has never been approached by anyone to investigate this option. Mr. Hutt then noted he was not telling anyone anything that people who live there don't already know, it is a mess around there. He did understand the safety concerns but most people can't park in their garages, especially with the trash cans being an issue with the homeowner's association. He then posed a question, if the police are able to enforce ticketing the cars, why can't the township mandate it as a one-way street, if it is a safety issue. Mr. Hutt noted he understood it was a private street but it just seemed to him that (*inaudible*). **Cncl. Pres., Caligiuri** noted when you purchased the unit, you purchased it with certain assumptions, you knew that the street was two ways and anticipated things being a certain way and the by-laws were in place. If we start changing your by-laws we would need your HOA approval.

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Jerry Ventura, 202 Matisse Way approached council noting that he attended the last HOA meeting and they made it sound like you (*township*) are the villain and they (*HOA*) want all this done and they were making it sound like we had to come before council to make sure you didn't pass it because they are the ones acting like they are trying to help us. Now, the way the township is sounding is that they are the ones that approved all of this, adding that the township is actually the one entity that is trying to help the residents. **Cncl. Pres., Caligiuri** noted that the developer originally proposed this in a certain way and we approved it based on certain standards and then we have to enforce it for the reasons previously noted by Cncl. Heffner. Mr. Ventura then noted he lives on Matisse Way and he had no problem with parking because he has a bigger driveway but he felt enforcement of the no parking may cause tension in our development, people are going to start to get pissed off, banging cars around. He added he came from the city (*South Philly*) and seen all this happen and he came here not to have this. **Cncl. Bryson** posed a question to Mr. Cella and if on the one-way street parking does your plan have the parking as parallel or heads in. Mr. Cella responded, parallel.

Mayor Teefy advised this is a tough situation that was thrown in our lap and nobody really made a decision over the years to help you out and it is a tough decision to make however for public safety we must put this enforcement into place. He explained, they are not coming out in March and writing tickets, there will be warnings issued to get the message out there but come April/May they may start ticketing. He added we have to bring it to a head to hopefully get to the other solution of the one-way and get the support of your people and try to get them out there to work with us. The mayor added they (*HOA*) can make us be the villain but someone had to finally make a decision because we couldn't keep pushing the can down the road. We looked at a lot of different solutions and one was trying to find additional parking and you were only getting a minimal amount of parking spots. Then we looked at the handicapped parking situation along with all the statutes/standards involved with this. We are moving it ahead to hopefully get it to a head, to find a solution that will work. It may be a rough go but we will get there.

Director of Public Safety, Jim Smart then noted how the meeting ended and with the Chief of Police still in attendance, his words were we are going to put the sign board up once the ordinance is passed tonight. After the ordinance (*no parking*) is signed and the twenty day period passed then that would go into effect. The sign board is going to be posted notifying everyone that it is coming and the signs will be put into place, then when the cars are found to be on the street they will be knocking on the doors, waking up that person and giving the person time to get the vehicle off the street. Mr. Smart indicated that is the whole process as laid out by the Chief of Police (*at the last meeting with your association*). Again, we don't want to be the villain but we do want it to be safe back in there. It was very much a nuisance when the buildings were being constructed back there we were stuck and had to send engines in from the other direction as we could not make passage around there with a fire truck. Safety is what the driving force is, we are not trying to be hard-nosed about it but

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the paperwork from day one said no parking on the street, it has been a long time coming that we did bring it to a head (*as the mayor alluded to*) as this is only for the safety of the people that live back there. He added an ambulance is just as wide as a fire truck, it will have just as much trouble maneuvering when they double park, especially around the curves. That has been the problem, you can drive through there on any given weekend and even with a small car or full size pick-up it is very tough to maneuver through there, he stressed that is the only reason this is being done. Mr. Smart noted the ultimate goal is to find a permanent solution and the one-way seems to be something that everyone has brought into. The problem with this is that it will have to go back to the Planning Board and it may be a long road before we can actually make it happen. The solicitor explained that this process could be somewhat expedited and he thought there may be a waiver of the application fees and professional fees. That process can be streamlined.

Resident – 1101 Exposition Drive advised council members that she resides in an end unit and is right on the curve and added all the handicapped spots are full, even where you get out. The issue she had was that the one-way sounds good until they can come up with a parking solution but the only other thing is the mail boxes are posted wherever there is space to park. So now people are parking in front of the mailboxes and now the mail carriers won't deliver the mail. It seems to be having a snow ball effect. A response was made indicating that could be an easy fix, to just move the mailboxes to the other side of the street.

Mayor Teefy noted that part of the solution would be to have the HOA move the mailboxes and the trash pick-up goes across the street which would fit into my plan of having trash cans on one side of the street throughout developments to streamline the trash collection operation. He advised that the township will work with the residents, the Planning Board had been noticed that this is coming so if you do get the approval it should move through the process pretty quick. Mr. Wolfe then questioned if this is being voted on tonight and if it passes and we can organize as a group and get a meeting with the HOA, if we get a vote in the next twenty days how fast can this happen once the 67% vote is done. **Engineer, Dave Cella** responded as to the process involved at the Planning Board level. He then spoke of the concepts that have been completed and are being reviewed as it relates to which direction for the one way makes the most sense.

Cncl. DiLucia noted after listening to the whole situation the idea of one way parking is certainly a much better alternative than that of no parking. He then spoke on the HOA as he lives in a development that has such an association but we are fortunate in that we have public streets. Cncl. DiLucia then noted when you have these bylaws that are controlled by trustees one of the problems that you have is that it is almost impossible to change these because it follows Roberts Rules of Order that requires 2/3 vote to pass a bylaws change. He felt this may be a difficult situation because people that are not affected probably are not going to be that sympathetic to their cause. The bigger problem is getting the number of

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people to a meeting to vote and something he suggested was when you speak with the trustees they ought to be encouraged to find a way to make this vote happen and one way he suggested was that they have a mail-in vote. This would not require everyone to come out, then all you really have to do is have a committee of people in favor of the one way parking to start campaigning. Go door to door and develop some literature that identifies the problem and you will find with most people that if it doesn't directly affect them, they would be compassionate to an issue that is a reasonable issue. Again, he noted his suggestion would be to get the trustees to agree to a mail-in vote in order to maximize the return.

Dave Wood, 1407 Exposition Drive noted he was a retired fire fighter/EMT and he certainly understood the public safety aspect of this but we need to come up with a resolution to the problem. Given that the no parking situation is going to pass it will put a premium on the parking spots that are on the existing side lots. He explained that next to his particular unit there is a side lot with two (2) handicapped spaces and four (4) regular spaces. Two of those spaces are occupied by vehicles that have not moved in the last eight (8) months, one has a flat tire and the other just sits, has not moved. He questioned if there was any kind of enforcement that can happen with these vehicles that do not move. *(At this time there was much discussion with many people speaking at once making this portion inaudible)*. The solicitor then advised that failure to inspect and unregistered vehicles are enforceable under Title 39 as well as speeding, etc.

Cncl. McIlvaine then noted that this is currently private property and the ordinance states, at least in this town as he understands it you are allowed one (1) unregistered vehicle per household *(on your property)*. He then requested clarification on if we were voting on enforcement of Title 39. The solicitor referred to **O:07-2015** 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"*(Chapter §267-57 Schedule XXIV Private and Semipublic Premises)* scheduled for 2nd reading at the Regular Council Meeting explaining this was dealing with Title 39 enforcement.

Cncl. Miller made a motion to close the Public Portion. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council in attendance.

D.) **NEW BUSINESS**

Mayor Teefy requested Director of Public Safety, Jim Smart to have the Traffic Safety Bureau go down to Broadlane *(sharp turn area)* and have them survey/evaluate to see if we can get some extra signage, to give better warning that what is presently posted there.

Cncl. Miller questioned if there was any way we could get parking lines designating parking places along Main Street where people can actually park as this would aid residents and make it look more attractive. **Director of Public Works, Bob Avis** will look into this matter.

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D.) NEW BUSINESS (cont'd)

Cncl. Bryson questioned Mr. Avis on signage at the Carriage Glen development. Mr. Avis noted he did send an email on this and he contacted the engineer to verify if the roads in the development have been dedicated. Dave Cella advised sometime last year our office directed that construction traffic could not utilize the back portion. Cncl. Bryson noted he was not speaking of construction traffic.. Mr. Cella indicated but at least we alleviated some traffic going back there, the residents themselves coming in and out that is something different. Cncl. Bryson noted the problem is with speeders and it is around a curve and little kids go across the street there. The residents will provide themselves with a sign, like they did last year and they will have to continue to do that until we do it. He added that street has been there for a long time and all those homes have been finished for at least three years, maybe four. The solicitor noted that was discussed at a meeting and he understood the need for a sign but you are talking about a subdivision where you probably have six police officers living in there, four from Monroe and two from Clayton. Cncl. Bryson noted but they are not there all of the time. Mr. Fiore noted but it is those people who are speeding it's not strangers cutting through, it's their own people. In addition to the signage standpoint they could pass around flyers to everybody in the neighborhood urging them not to speed. There has to be some level of self-help, government can't do (*inaudible*). Cncl. Bryson noted there is a level of self-help and the level was that they put their own signs up there for the last three years. In addition they actually stood out in the street when there was a problem last year with the retention basin. Mr. Fiore questioned if Mr. Bryson felt this would stop the speeding traffic to place signs there. Cncl. Bryson responded, it may slow them down. He added that in his mind there isn't a difference between their people or anybody else cutting through. It is still a hazard, it still requires that something be done with it. He then questioned the dedication process and if it was the responsibility of the developer. Mr. Fiore advised it was the responsibility of the developer and many times they want to dedicate the streets because right now they are legally responsible to pay for the snow removal as well as other amenities. Usually the developers are motivated to get off their bonds and he did not know they are not motivated to do so. **Cncl. Bryson** then spoke on his suggestion to the homeowners that contacted him on this. He advised that they go back to Paparone and request him to place the signs that they want or you take the signs, have them made, and have Paparone pay for them. **Cncl. Bryson** then questioned if a child gets injured on that street, who is responsible? Mr. Fiore responded, the driver of the car. However, if there were some defect in the street a hole that would cause a pot hole to develop then we would probably get sued but as far as any negligence it would be on the driver as well as perhaps the parent who has a little kid in the street, there may be liability on that parent as well.

E.) OLD BUSINESS - None

F.) COMMITTEE REPORTS - None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. DiLucia posed a question with regard to Resolution R:54-2015 Resolution Of The Township Council Of The Township Of Monroe, County Of Gloucester, New Jersey, Authorizing The Preparation And Distribution Of Offering Documents In Connection With The Sale Of The Township's General Obligation Refunding Bonds, Series 2015; Authorizing The Issuance, Sale And Award Of Said Bonds; Making Certain Determinations And

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

Covenants In Connection Therewith; And Authorizing Certain Actions Related Thereto and requested Mr. Heydel to explain the content. **Business Administrator, Kevin Heydel** advised what happened was Parker, McCay actually did an RFQ for the underwriter and they made a recommendation on which one to use (*at this time the recording was inaudible as there was continued noise in the meeting room and many people speaking at once*). **Cncl. DiLucia** questioned the percentage associated with the new bond and what was required. Mr. Heydel explained we needed a 3% savings and we got that and we are saving just about \$200,000.00 over the life of the bond.

Cncl. Bryson posed a question on Resolution R:56-2015 A Resolution of the Township Council of the Township of Monroe, County of Gloucester Appointing Representative to the Gloucester County Municipal Economic Development Council. He then congratulated Cncl. Miller on being selected for the appointment. He questioned if this was something new. **Cncl. Miller** responded, no this is something the County has had for a long period of time, it is just that no one has ever been appointed to the position so essentially what happens is that the EDC votes on the individual to fill that spot, then they are designated representative for the EDC for the county itself. **Cncl. Bryson** then questioned what are we doing with this, is it basically an appointment that was coming from the town or an appointment from the county. **Cncl. Miller** explained the county sent out the resolution to be adopted, this is from the county but the EDC is the organization that chooses who they wish to fill the position. **Cncl. Bryson** then questioned Cncl. Miller on what he would be bringing to the EDC. **Cncl. Miller** explained Tom Bianco, Director of Economic Development who is also the mayor of Clayton has had discussions with me and he walked down Main Street. Mayor Teefy has given me the go ahead to discuss what resources are available to us through the county. He emphasized that his goal with this is to relay the information back to Monroe Township. He added there are some micro loans that are available for small businesses, there are hiring incentives for businesses provided through the state where they receive money to offset the cost of hiring new employees. So, essentially I am a representative that brings information back to the EDC, to the mayor and back to council. **Cncl. Bryson** questioned Cncl. Miller as to what he perceived was the county's influence on our economic development or is there any? **Cncl. Miller** advised they give us the resources that they have available to allow us to do what we want. It is not the county coming to us and saying this is what we want, rather it is essentially the municipality saying this is what we want to do in Monroe Township what resources do you have available that can help us in this process. **Cncl. Bryson** then noted that he has been here close to eleven (11) years and I haven't seen one representative. **Cncl. Miller** advised this was the only municipality that did not have a representative and there are many projects as well as possible money out there that the township could utilize. **Cncl. Bryson** questioned why Monroe Township was the only municipality that did not have a representative. **Cncl. Miller** noted they invited us to events but no one ever put forth the resolution. He added they always wanted Monroe to be a part of the table because we are the second largest municipality, we do have a benefit to the county and they want our voices to be heard.

Cncl. Heffner noted he has received numerous calls from many farmers down in his area and advised **Director of Public Works, Bob Avis** with respect to ATV's, dirt bikes

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being parked down where we dump our leaves on a temporary basis (*truck training facility*). **Cncl. Heffner** added two Sundays ago there was seven vehicles there, with two being from out of state. He questioned if a gate could be installed there with "no trespassing" signs put up, instead of the police department chasing ATV's they could start ticketing the people who are bringing their cars there, he also suggested to do the same exact thing at Wagner Field. He felt we have a better chance at ticketing these people, the ordinance says if they are trespassing we have the right to issue tickets. **Cncl. Heffner** noted if there is signage out there he felt we will eliminate not so much all the ATV's because kids will be kids but the people who are transporting/trespassing with the vehicles. **Mr. Avis** advised he would contact the traffic division on this. **Mayor Teefy** felt the first thing to do is to work on the signage, a gate would be great, but once the gate goes up they can't get in to park. **Cncl. Heffner** then noted at that point they will park on the side of the road. The mayor noted then you can ticket for that also.

Cncl. DiLucia spoke with regard to the Governor's budget address and how it appears as if he is not going to include any money into the State Pension Plan. Although we can say it doesn't concern us he felt there were two things we should be very concerned about. One being is that we have employees that are, in fact, on pension and many that will be going on pension. The other thing is that someone is going to pay this bill and it is going to be the taxpayer. The governor made an agreement with the bi-partisan group that passed through legislation that addressed the pension issue and insurance reform and he has broken his agreement. **Cncl. DiLucia** advised from someone who has a little experience with administering pension plans that if this pension plan does not get funded it is in trouble. Someday, perhaps in the very near future when they get a real accounting to do an actuary there is going to be a funding requirement to this pension plan and it will not be able to be made up by the employees or retirees, it will be the tax payer. **Cncl. DiLucia** noted that he was requesting that the council, in the form of a resolution, request other towns to protest the governor's breaking of an agreement where he agreed to certain things and that was to provide a certain amount of money annually to the pension plan. **Cncl. DiLucia** explained most people have no perception of a pension plan but being involved in knowing how these plans work not only do you have the municipality who makes a contribution and the employees make a contribution, in fact, a greater contribution now but if you do not get the other contribution which is the state's responsibility to the fund not only do you have a shortfall of money because the actuaries are based on perception of income and income derived from money that is in the fund. So what you are doing is not only do you have a shortfall in money but now that the market has been performing tremendously for the last two years all the money that should have in that fund has now gone without any reward from accrual. **Cncl. DiLucia** again noted there is nothing to bail this fund out and at some point in time there will be a problem that can only be resolved in two ways either the employer has to put a greater sum of money in (*which is the taxpayer*) and the employees may have to take a cut in their pension. He felt either way is not a good alternative and he requested that we develop a resolution and send/circulate it to the other municipalities throughout the state asking that we implore/demand that the pension plan be funded as per agreement. The solicitor then advised that a judge has just ruled that it is unconstitutional/illegal for him not to fund the plan and he must place the \$1.6 figure into the budget. **Mr. Fiore** advised that came down from a Superior Court Judge now it will be appealed to a higher court. There was continued discussion on this and it was the consensus of council to have the solicitor draft a

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resolution. **Cncl. DiLucia** then advised that the idea of pensions and defined benefit plans as opposed to defined contribution plans were tremendous but what is happening is that the work forces are shifting. You could reach a point that there are more pensioners then there are people putting into the plan. At some point in time if you don't have an element contributing that is an additional drain. He added that thing (*pension plan*) is gonna go and when it goes it's gonna go quickly. This is due to actuaries that will do almost what you tell them to do because they have some leeway in the assumptions so it is very easy to go to the top of the assumptions and return on investment as opposed to a modest investment. Another thing the governor did was to give this to companies that are investing in the most risky derivatives and he got a less of a return than moderate investments. So we paid a lot of money to investors and got a lot less return on the investment and that is a fact. This plan is in trouble and something has got to be done about it, beginning with him (*governor*) putting money in the plan where he promised.

Cncl. DiLucia will meet with the solicitor on this and a resolution will be drafted for approval at the March 9th council meeting.

H.) QUESTIONS REGARDING ORDINANCE SCHEULED - None

I.) ADJOURNMENT

With nothing further for discussion, **Cncl. Miller** made a motion to adjourn the Council Work Session of February 23, 2015. The motion was seconded by **Cncl. McIlvaine** 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 February 23, 2015 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 AM
Approved as corrected _____

Date 3/9/15
Date _____