

MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
SEPTEMBER 14, 2015

A.) OPENING CEREMONIES

CALL TO ORDER

The Regular Council Meeting of the Township of Monroe was called to order at approximately 8:02 PM by **Cncl. Pres., Frank Caligiuri** in the Court Room 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, the Courier Post and the Sentinel of Gloucester County). A copy of that notice is posted on the bulletin board at the Municipal Complex.

Cncl. Pres., Caligiuri stated the Clerk has placed a sign-in sheet at the rear of the Court Room. If anyone would like to address Council during the Public Portion, please sign in and you will be asked to come forward to the microphone. Kindly state your name for the record.

SALUTE TO FLAG - INVOCATION

Cncl. DiLucia led the assembly in the Pledge of Allegiance to Our Flag and **Pastor Jeff Tilden of Cross Keys United Methodist Church** offered the Invocation.

ROLL CALL OF TOWNSHIP OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Frank Caligiuri	Present	
Mayor Daniel Teefy		Excused
Solicitor, Charles Fiore	Present	
Business Adm., Kevin Heydel	Present	
Engineer, Kathryn Cornforth	Present	
Dir. Of Code Enforcement, George Reitz		Excused
Dir. Of Public Safety, Jim Smart	Present	
Dir. Of Public Works, Bob Avis	Present	
Deputy Mayor Andy Potopchuk		Excused
Township Clerk, Susan McCormick	Present	

APPROVAL OF MINUTES

Cncl. Miller made a motion to approve the minutes as submitted for the Council Work Session and Regular Council Meeting of August 24, 2015. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

B.) CORRESPONDENCE - None

C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

Cncl. Miller made a motion to open the Resolutions Scheduled - Public Portion. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council. With no one wishing to speak **Cncl. Dilks** made a motion to close the Resolutions Scheduled - Public Portion. The motion was seconded by **Cncl. Miller** and unanimously approved by all members of Council.

CONSENT AGENDA RESOLUTIONS R:140-2015 THROUGH R:142-2015

R:140-2015 Resolution Adjusting Township Of Monroe Tax Records

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C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION (cont'd)

R:141-2015 Requesting Approval Of The Director Of The Division Of Local Government Services To Establish A Dedicated Trust By Rider For Public Relations-Police Department Donations

R:142-2015 Resolution Authorizing The Second Reduction Of An Irrevocable Standby Letter Of Credit In The Original Amount Of \$315,812.00 For Williamstown TVC-ARC, LLC For Site Plan #463-SP, Block 3901, Lot 1.03

Cncl. Miller made a motion to approve Resolutions R:140-2015 through R:142-2015. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council.

R:143-2015 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Mayor To Execute A Memorandum of Agreement Between The Township Of Monroe And The Monroe Township Police Officers Association.

Cncl. Miller made a motion to approve Resolution R:143-2015. The motion was seconded by **Cncl. Heffner**.

ROLL CALL VOTE TO APPROVE RESOLUTION R:143-2015 - 4 AYES (Dilks, McIlvaine, Miller, Caligiuri), 2 NAYS (Bryson, DiLucia), 1 ABSTAIN (Heffner), 0 ABSENT

Tally: 4 Ayes, 2 Nays, 1 Abstain, 0 Absent. Resolution R:143-2015 was duly approved.

D.) ORDINANCES

At this time **Cncl. Pres., Caligiuri** turned this portion of the meeting over to **Ordinance Committee Chairman, Cncl. Dilks**. **Cncl. Miller** made a motion to open the Public Hearing for the ordinances listed on the agenda for Second Reading and Public Hearing. The motion was seconded by **Cncl. Pres., Caligiuri** and unanimously approved by all members of Council. With no one wishing to speak **Cncl. Miller** made a motion to close the Public Hearing. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council.

O:30-2015 An Ordinance Of The Township Council Of The Township Of Monroe To Amend O:25-99 Vacating And Extinguishing All Public Rights In And To A Certain Dedicated Public Street Or Roadway In The Township Of Monroe, County Of Gloucester, State Of New Jersey To Wit; A Portion Of A Certain Unimproved And Dedicated Road Known As Madrone Avenue And Reserving Any Easements Currently Held By The Township And Other Persons/Entities And Transferring An Equal Portion Of The Vacated Street To Block 3704, Lot 20 And Block 3704, Lot 21

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Miller made a motion to approve Ordinance O:30-2015 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Heffner**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:30-2015 FOR SECOND READING AND PUBLIC HEARING - ALL AYES

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Nays. Ordinance O:30-2015 was duly approved for Second Reading and Public Hearing.

O:31-2015 An Ordinance Of The Township Council Of The Township Of Monroe Granting Renewed Consent And Permission To South Jersey Gas Company To Use The Public Streets To Furnish Gas For Light, Heat And Power In The Township Of Monroe, County Of Gloucester, State Of New Jersey

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

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D.) ORDINANCES (cont'd)

Cncl. Miller made a motion to approve Ordinance O:31-2015 for Second Reading and Public Hearing. The motion was seconded by **Cncl. DiLucia**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:31-2015 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 ABSTAIN (Heffner)

Tally: 6 Ayes, 0 Nays, 1 Abstain, 0 Nays. Ordinance O:31-2015 was duly approved for Second Reading and Public Hearing.

O:32-2015 Bond Ordinance Authorizing The Completion Of Various Capital Improvements At Earling E. Owens Memorial Park In And For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$140,000 Therefor; Authorizing The Issuance Of General Obligation Bonds, Bond Anticipation Notes Or Other Debt Obligations Of The Township Of Monroe, County Of Gloucester, New Jersey, In The Aggregate Principal Amount Of Up To \$70,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Miller made a motion to approve Ordinance O:32-2015 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Heffner**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:32-2015 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 NAY (Bryson)

Tally: 6 Ayes, 1 Nays, 0 Abstain, 0 Nays. Ordinance O:32-2015 was duly approved for Second Reading and Public Hearing.

O:33-2015 Bond Ordinance Authorizing The Acquisition Of Various Pieces Of Equipment And Completion Of Various Capital Improvements In And For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$1,310,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Monroe, County Of Gloucester, New Jersey, In The Aggregate Principal Amount Of Up To \$1,244,500; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. Miller made a motion to approve Ordinance O:33-2015 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Heffner**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:33-2015 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 NAY (Bryson)

Tally: 6 Ayes, 1 Nays, 0 Abstain, 0 Nays. Ordinance O:33-2015 was duly approved for Second Reading and Public Hearing.

O:34-2015 An Ordinance Of The Township Council Of The Township Of Monroe Establishing Chapter 232 Of The Code Of The Township Of Monroe, Entitled "Invasive Plants"

Second Reading: The above ordinance was published in an official publication for the Township of Monroe. This portion was opened to the public.

Cncl. DiLucia made a motion to approve Ordinance O:34-2015 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Miller**.

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D.) ORDINANCES (cont'd)

ROLL CALL VOTE TO APPROVE ORDINANCE O:34-2015 FOR SECOND READING AND PUBLIC HEARING - ALL AYES

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Nays. Ordinance O:34-2015 was duly approved for Second Reading and Public Hearing.

E.) REPORTS AND OTHER MATTERS

Business Administrator, Kevin Heydel reported 70 vacant homes were registered and the registration fees were received. Six were done in August and 64 were done so far in September amounting to approximately \$21,000.00.

F.) GENERAL PUBLIC DISCUSSION

Cncl. Miller made a motion to open the General Public Discussion. The motion was seconded by Cncl. Dilks and unanimously approved by all members of Council.

Lee McCullough, 432 Prosser Avenue, distributed information to Council regarding the process for viewing a security camera video from the WaWa on Berlin-Cross Keys Road. He spoke of an incident that occurred on December 21, 2013 when a person was caught by that camera smashing his seventh windshield and expressed his concerns that he has been unable to view the original video of that incident because the Monroe Township Police Department says they are unable to play it. He viewed the disk at the Woodbury Prosecutor's office and he knows there is a glitch in it because he was there and knows how it played out. Mr. Fiore, who expected to see it too, was told by the Police Department that would not happen because they cannot play it. Mr. McCullough noted he spoke with WaWa security in Pennsylvania who told him this is not any special type of disk it just needs to be played in a computer and they gave him instructions on how to play it. Those instructions were provided to the Police Department but the disk is still locked up in the evidence room and he is still trying to view it because he is due in court next Monday. He noted it is unacceptable that no one in the Police Department knows how to download Windows Media Player when a thirteen year old could do it by following the directions. He added you can't tell him that a police department with a seven million dollar budget cannot read a WaWa security disk so he tried contacting the Chief of Police but his calls have not been returned. He added he is beginning to take that very personal and he expects this to be handled this week hopefully before Thursday. Mr. McCullough noted he was in the Woodbury Superior Court four times with Mr. Fiore for Leonard Vidovic, owner of All Jersey Tree Service in regards to his commercial equipment being located on Prosser Avenue. When it all started close to four years ago about sixty-two zoning complaints came in about Leonard Vidovic and we are now into our fifth calendar year and this is still going on. Leonard Vidovic has been in this courtroom in front of Judge Lacovara approximately fifteen to twenty times regarding zoning issues and three months ago it went to Assignment Judge Curio who ordered the equipment removed from the property. She gave him a grace period that has come and gone and we are now over ninety days and the equipment is still there and the big trucks are still coming in. Judge Curio gave the township the authority to have the equipment removed at Vidovic's expense and nothing has happened. Mr. McCullough spoke of signing about thirty zoning complaints, one every single day but they are still sitting in a file in Mr. Weikel's office and nothing has happened. He questioned what is the problem? It must be that someone is afraid of Leonard Vidovic but he is not going to smash your windshields, he is not after you people he is after me. We now have four judges involved in this case; two superior court judges have ordered the equipment removed from the property and the third is a criminal judge. Prosser Avenue is a residential area, it is not Vidovic's industrial park which he is treating it like and this has got to change. He added Council ran for office, they asked to be here and the residents voted for them and now we are asking that you do what you say you will do. The law provides for the residents of Herbert and Prosser Avenue and we are not Leonard Vidovic's industrial park so it is time to take this back to court. Judge Curio left it wide open so that the next time we go back in court a \$1,000.00 a day fine will be assessed and the second offense it increases to \$2,000.00 a day. With minor calculations that is about \$60,000.00 in fines but comments were made that those fines will never be collected because they never were before. He

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

questioned why isn't it being done, as Leonard Vidovic will be paying the court charges; not the township. We have \$60,000.00 laying out there that Leonard Vidovic cannot discharge under bankruptcy, as it is a first lien on the property that will get paid but somebody has to do something and who is that somebody. **Cncl. Pres., Caligiuri** explained the zoning issue falls under the authority of the Administration and this is a legislative body and although we are concerned we need to redirect this to the Mayor's office. The issue as far as the windshield is both a criminal case and a civil case. The criminal case is vandalism and the civil case would be to recover your cost and everything else. They would need to identify the criminal in the criminal case and you would then need to pursue reimbursement for that. He added he doesn't know why the police wouldn't turn the disk over but he felt the owner of the disk is WaWa and if it was requested from them they should be able to provide a copy. Mr. McCullough noted this incident occurred December 21, 2013 at 10:00 and immediately he tried to see the disk but was put off by Det. Jules Maiorano repeatedly for three months. He noted he knows there is a disk because a detective in Woodbury showed it to him so he knows there is a problem, which he will call a glitch. He questioned why is the police department saying they are not capable of downloading Windows Media? The chief is not returning his calls and he was basically told that he was harassing the police department because he was asking to see the disk when he has a release from the Prosecutor's office that says show Mr. McCullough the disk. The fact is the police department is saying they do not have the technology to view the disk when all they have to do according to the instructions that were emailed from the security division of WaWa is to download Windows Media. **Solicitor Fiore** explained about four or five years ago Mr. McCullough brought to our attention the issue of a tree surgeon utilizing a portion of Prosser Avenue for his commercial business. We appeared before Judge Morgan in Superior Court and got an injunctive relief and it was supposed to have stopped at that point in time. In the interim there have been many, many instances of vandalism and of course the specific individual was never caught in the act of committing the vandalism or certain crimes. What happened was there were about seventeen or eighteen complaints pending in municipal court and we sent it to the prosecutor's office and they actually indicted Mr. Vidovic for one count of criminal mischief, which is now a combination of all of these acts of vandalism against Mr. McCullough and his family and that trial is coming up very shortly. As part of the criminal matter there was an issue where Mr. McCullough's vehicle windshield was smashed and some type of object blew up near his house and an individual was caught at the Wawa as a result of the video. Audrey Kernan and R. G. Curwin the First Assistant County Prosecutor contacted his office to say that Mr. McCullough had been to the county and viewed the video and he thought there was what he called a glitch, which means he felt it was tampered with. The prosecutor's office denies that they tampered with it and they sent it to Monroe Township. Mr. Fiore noted he asked the police to play it for him and was told it wouldn't play. Mr. Fiore noted he would contact the Chief tomorrow and ask him if we can play it based upon these instructions. In regards to the second portion of this Mr. Fiore noted he spoke to Mr. Weikel the other day, as there are still commercial vehicles out there. Mr. Weikel is going out there and will prepare a report on the matter. Mr. Fiore advised he spoke to Mayor Teefy about this and he has given him the authority to take this matter back to Superior Court to enforce the prior court order. He added this is a long drawn out frustrating process. Mr. McCullough has had six or seven windshields broken out but under the criminal law you have to prove it beyond a reasonable doubt so essentially you have to see someone throwing the rock. There are six or seven incidents with a lot of interaction between the alleged culprit and the McCullough family and that is what is being heard in Superior Court. **Cncl. Bryson** questioned whether the CD the police department has is the original or was that a copy. Mr. McCullough advised it is the original and that is why he is trying so hard to view it. Woodbury was given a copy and he will not accept seeing the copy because he knows there is a glitch in it. Mr. Fiore noted the prosecutor's office has been given the authority to look at it. He added he will talk to the Chief about this tomorrow. Mr. McCullough noted he had seven windshields broken, three rocks were thrown through his house windows and on July 2, 2013 at 1:28 AM he tackled one of two men outside his house. What he didn't realize at the time is they didn't come with rocks they came with explosives and they intended to burn down his house. Mr. McCullough indicated he asked Woodbury Detective, Nicholas Danze would what they had set the house on fire and he said a match is 850 degrees and these are 1,800 to 2,100 degrees and there were two of them. Chief McKeown, was on the job his second day when this incident occurred and he said that this was attempted murder and Vincent, the gentleman who puts together the grand juries in Woodbury, also said attempted murder so this is serious. It is no

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

longer about silly trucks, this guy has a personal issue against me. Mr. McCullough thanked Mr. Fiore for his help and noted we will be going back to the judge.

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

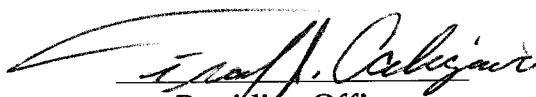
Cncl. Dilks questioned whether the Towing Committee would be meeting tomorrow night. **Solicitor Fiore** replied that he just texted Officer Burton who said the towers were not all notified and one tower did not get the actual ordinance. Mr. Fiore advised he will be on vacation for the next two weeks but he has indicated to Officer Burton the committee could meet with the towers in his absence. **Cncl. Heffner** suggested holding off on scheduling a meeting until Mr. Fiore returns since nothing will be done this year anyway. He added the impression he got from Officer Burton was that the towers were notified and given a copy of the ordinance but this will give them the opportunity to review the ordinance and then we can schedule a meeting.

G.) ADJOURNMENT

With nothing further to discuss **Cncl. Miller** made a motion to adjourn the Regular Council Meeting of September 14, 2015. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Susan McCormick, RMC
Township Clerk


Presiding Officer

These minutes were prepared from excerpts of the tape-recorded proceedings of the Regular Council Meeting of September 14, 2015 and serve as only a synopsis of the proceedings. 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 _____
Approved as corrected _____

Date 9/28/15
Date _____