

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
OCTOBER 12, 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 **7:02 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. Miller** led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson		Excused
Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia		Excused
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Frank Caligiuri	Present	
Mayor, Daniel Teefy	Present	
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Engineer, Kathryn Cornforth, ARH	Present	
Dir. of Public Safety, Jim Smart	Present	(Arrived 7:23PM)
Dir. of Code Enforcement, George Reitz		Excused
Dir. of Public Works, Bob Avis	Present	
Deputy Mayor, Andy Potopchuk	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

• **Report – Safety Activities**

OEM Coordinator, Frank McLaughlin explained as Safety Coordinator and being involved in the Joint Insurance Fund one of the things required to get funding is to include the Mayor and Council in our activities and he introduced **Joe Henry of Hardenberg Insurance** who was in attendance to give a presentation regarding cyberattacks the township may encounter. Mr. Henry explained as the Risk Management Consultant for the TRICO JIF annually he comes up with a safety topic as required by the JIF and brings it to his clients. In the past the topics addressed have been tripping/falling accidents so this year he went out of the box a little to address cyber liability. He presented handouts to the Mayor

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B.) MATTERS FOR DISCUSSION (cont'd)

and Council that highlighted the following six core elements of the Safety & Wellness Program:

- *Commitment and Accountability* - monthly Safety Committee meetings.
- *Controlling Hazards* - holding monthly facility inspections and a roadside work way program that reports to the Public Works Department things that need to be repaired or replaced.
- *Continuing Education* - through the MEL Safety Institute
- *Communications* - departments holding discussions with employees before they go out to the work place for the day.
- *Coaching* - from job site observations
- *Claims Management* - stresses early reporting.

Mr. Henry recognized the township's core leaders, Frank McLaughlin Safety Coordinator, Christine Scola Claims Coordinator and Kevin Heydel Fund Commissioner and reported in 2014 the township received \$4,225.00 as a result of the safety program and is on track to receive the same funds this year. He then continued with his presentation explaining the definition of cyberattack is "*an attempt to damage, disrupt, or gain unauthorized access to a computer, computer system, or electronic communications network*". He explained the township could be at risk if collecting confidential data such as employee information, credit card information from residents or when operating a computerized system for water/sewer, finance and public safety matters or when maintaining a website. Three weeks ago Pennsauken's website was hacked and it was closed down for three weeks. The JIF began to explore cyber liability because one of its towns was hacked about three/four years ago. The town had to notify all residents effected and the cost to send out that information was several hundred thousand dollars. There was no insurance coverage for that, as that type of coverage had to be purchased independently from the JIF. Wheels got in motion and they came up with this idea because the cost for a township to notify residents is not budgeted for so this type of coverage will help. The Woolwich/Swedeseboro School District was hacked during the mandatory testing and they were shut down for three days. A ransom of \$125,000.00 was requested but that was not paid at the recommendation of the State Police and the Attorney General's Office. Mr. Henry explained a data breach will put a municipality out of order, as there will be no computers to work with, it will result in a bad reputation and cost the municipality money. He noted we came up with the program A.I.M., which is an acronym for Assess, Invest and Manage. Assess is to find out what the township's technology needs are, what the assets (IT staff, hardware, software, contractors) are and what resources are available. Invest is to invest in developing IT policies and training of employees. Manage is to continually monitor and update systems. Ways the township can be protected from being an easy target is by training employees to use caution when using computers, by maintaining software antiviruses and by developing policies to address mobile devices, which can be stolen if left in a vehicle. The MEL will be holding a 15 to 20 minute online class in November regarding cyber liability and Mr. Henry recommended that all employees view it because it

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will have all the do's and don'ts in the event of a cyberattack. The JIF now has third party and first party coverage at \$3,000,000 per claim with a \$6,000,000 aggregate, which is the most they will pay out in any one year. The down side is there is a \$25,000 deductible for each claim. Mr. Henry noted Sony, Target and even the Federal Government has been hacked. Rutgers was hacked four times last year and have now hired three cyber liability firms at a cost of \$3,000,000 and to do that they raised the tuition 2.8% to cover those costs. They were just hacked again last week even with that all in place. He went on to explain if the township suspects a data breach the Business Administrator can call the hotline number or his office where there are seven people on staff servicing public departments. More information regarding the A.I.M. Program can be found on their website at <https://www.eriskhub.com/xl.php>. **Mayor Teefy** questioned whether there were any plans through the MEL to perform an audit of the IT security. Mr. Henry replied no, that cost would fall upon the township. **Business Administrator, Kevin Heydel** advised the JIF has been looking at this and is trying to develop an RFP for services that would go into each municipality to look at this but they are having a difficult time writing the specs as to what they are actually going to look at and how deep it is going to go. They are on top of this and are trying to go into each of the towns to do an overview of what the policy is and what management is over each system. Mr. Henry noted Kevin has been a valuable resource having been involved in the committees and knowing what is going on. He added he has not been involved but does know that it is fairly expensive to have an audit performed and then there is an expense of following up after the audit and that's why it's important to have a strong IT staff. In conclusion Mr. Henry thanked the Mayor and Council for allowing him to make this presentation.

- **Best Practices Inventory**

Business Administrator Kevin Heydel noted the township did as well as last year on the Best Practice Inventory. Not much has changed and the good news is we will not be penalized at all because we basically do just about everything they ask for. Mr. Heydel went through the Best Practice Inventory and explained there were a few minor things that we answered no to. The first being the adoption of a vehicle policy but hopefully we can do that within the next year. We also answered no to question 7 that deals with a 2% salary increase because we just negotiated a 2¼% increase for the police. Another is health insurance coverage for elected officials but Council has taken steps to address that not next year but the following year. Another question deals with insurance broker fees being a specific dollar amount or a percentage of the premiums paid. That question was answered no because we pay a percentage of the premium not a specific dollar amount. Question 44 asks whether the municipality has a policy to not compensate employees for sick leave accumulating after a certain date and we had to answer no to that. Question 46 regarding worker's compensation was answered no because we pay people 100% of their salary and not the 70% the State says. Our overall score is 44 out of 50 and scores between 41 and 50 have no penalties so next year if no more is accomplished we still have some room in that score.

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B.) MATTERS FOR DISCUSSION (cont'd)

• **Revisions to Chapter 175 Land Management**

Cncl. Pres., Caligiuri explained as per the memo from Tim Kernan the changes being made to Chapter 175 will allow craft beer beverage establishments and he questioned whether Council had any objections to moving this forward for First Reading at the Regular Council Meeting. All members of Council in attendance were in favor of moving the ordinance forward to the Regular Council Meeting. The Clerk noted for the record the ordinance would be numbered O:35-2015.

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

D.) NEW BUSINESS

Solicitor Fiore noted in speaking with Engineer Kathryn Cornforth he was just brought up to speed on the Amberleigh litigation. Council has been copied on the motion that was filed with the court to re-instate the judgement against Bond Safeguard because of the fact that they have not been reacting to the outstanding items that still exist at Amberleigh. Mr. Fiore indicated on Friday he received a telephone call from their attorney as well as their insurance representative wanting to schedule a meeting with the engineer sometime this week to try to tie up all the loose ends so hopefully they will finalize things once and for all.

E.) OLD BUSINESS

Cncl. Heffner questioned Mr. Heydel in regards to the status of the old Library. **Engineer Kathryn Cornforth** noted her office is in the process of preparing a proposal to do an environmental assessment so when the project is put out to bid we know what may or may not be there. We are just waiting on a price from a testing party to confirm if there are things such as asbestos and how much is there and as soon as we get that it will be handed out for review. **Cncl. Heffner** questioned why is that a township problem, why doesn't the person doing the bidding handle that. Ms. Cornforth explained the reason why you want to do that ahead of time is because if you don't have an idea about asbestos or other things that may need specialty disposal, we could get a contractor that gives a lower bid with extras on the backend because it is not quantified. What we are trying to do is quantify what they would be responsible to dispose of properly. It is supposed to save money in the long run so we will not be hit with the extras such as a \$30,000 demolition job turning into over \$100,000. This is preventative action so the contractor can anticipate removing it properly. **Cncl.**

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E.) OLD BUSINESS (cont'd)

Heffner noted that was a good answer but a contractor bidding a job is supposed to know this information. Ms. Cornforth explained because this is a public bid you may not necessarily be getting the most qualified person as the low bidder. Cncl. Heffner added we can tell them everything that is wrong with the building and they could still walk off the job. Ms. Cornforth explained walking off the job is different than not knowing because we would be at their mercy for the extra cost and we could end up getting into a legal battle and the library will not be taken down. At least if it is defined ahead of time you can set limits in terms of experience level to try to weed out the contractors that are not properly equipped to dispose of asbestos. **Cncl. Pres., Caligiuri** questioned whether Mr. Rehmann brought Ms. Cornforth up to speed on the drainage issue at Chestnut Green. Ms. Cornforth noted their office was not involved in that so we have no records on it but from what we understand there was a pipe added as the result of a potential lawsuit. Tim Kernan's office handled that issue so that is something that we will need to discuss with Tim to see if he has any records on that. **Cncl. Pres., Caligiuri** questioned whether Mayor Teefy wanted to send a letter to Tim Kernan or if he wanted him to send the letter. He went on to explain the problem is a storm water pipe was put in to redistribute storm water but it is not sufficiently below grade and what is happening is during the summer months that pipe sends up warm air which prevents root development so grass will not grow above the pipe. **Cncl. Pres., Caligiuri** noted he is wondering if the plans called for the pipe to be further down in the ground. Mayor Teefy requested **Cncl. Caligiuri** send him an email to remind him to address this issue with Mr. Kernan during their Friday morning meeting.

Cncl. Heffner questioned the status of the PC Helpers air conditioners. **Solicitor Fiore** replied nothing has happened at this point in time as he has received no direction to file suit. **Cncl. Heffner** questioned when their sign could legally be removed. **Solicitor Fiore** replied 120 days as per the agreement. **Mr. Heydel** advised the date is October 23rd. **Cncl. McIlvaine** questioned whether the township would be going after him for those air conditioners. **Mr. Fiore** noted we need to discuss what we are going to do in that regard, as his position was the air conditioners were temporary for the computer areas rather than a central air conditioning unit, which is considered a permanent fixture. **Mr. Fiore** questioned whether anyone recalled what the air conditioners looked like, whether they were attached to the building or portable. **Mr. Heydel** advised the central air conditioning unit is still there. **Cncl. McIlvaine** questioned whether the units were hardwired to the building. **Solicitor Fiore** indicated they were. **Cncl. McIlvaine** felt then they were part of the building and seeing how it was stipulated that the sign remain he felt we need to go after him for those units. **Solicitor Fiore** explained the sign remained as part of the agreement. All permanent fixtures were to remain but the question is from a practical standpoint do you want go after him for air conditioning units that cost \$4,000 or \$5,000, as you could expend that much in legal fees. **Cncl. Heffner** noted it looks like there were two units and the hole in the wall was nothing more than the line set. They had an air handler inside and a wall unit outside. **Mr. Fiore** noted the central unit would probably cool the entire building and it is his understanding that those units were put in to handle the server room. **Cncl. McIlvaine** commented that he didn't like the way we were treated as a result of the sign and when we brought up these air conditioner units we were basically told to go pound sand. The sign went back up when we found out it was supposed to be up but when we questioned him on the air conditioners

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E.) OLD BUSINESS (cont'd)

nothing happened. Mr. Fiore noted he said that they were not permanent fixtures and that is where we are at this point in time. Cncl. Heffner noted he was in the building and they managed to leave all their trash, piles of sandbags and other stuff they didn't want that are not part of the building and the one valuable thing in the building they took. He felt financially it doesn't make any sense to go after them it is just the principal of the thing. Solicitor Fiore commented that we dealt with them at arms-length and were fair and reasonable and this is what happened. He suggested getting the replacement cost for those units first. Mr. Heydel questioned why would we replace them, the main air conditioner is there and those units were only used in the garage area. Cncl. McIlvaine noted it is just the point. Monroe Township has been taking a hit lately and it is quite aggravating.

Cncl. McIlvaine questioned Mr. Avis on the status of the generators for the fire house, the Road Department and Pfeiffer Center. **Public Works Director, Bob Avis** noted he needs two quotes for the firehouse but none have been received yet so that may need to go out to bid. Mr. Heydel advised the generator at the ambulance hall cost \$40,000.00. Mr. Avis explained the issue at the fire house is rewiring. Cncl. Miller explained during the storm when the power went off the firemen were unable to access the firehouse tool room and some other key areas and Cncl. McIlvaine added they could not get fuel to maintain the vehicles. Mr. Avis noted he was working on changing the gas pump at the Police Department over to the municipal building generator and looking into running a line to the firehouse. Cncl. Heffner cautioned against that due to the cost to dig up the road to run that line when the size generator needed for that building could be purchased for \$3,000. Mr. Avis advised because we are a public entity that would mean another generator would need to be registered with the DEP. **Mayor Teefy** questioned what is the difference of registering them? Mr. Avis explained there are certain things that need to be done every six months such as having a company come in to inspect them, which is why he felt a line could just be run by boring it in. Cncl. Heffner felt we should get the cost for that compared to just purchasing a 10K generator, which is next to nothing. Cncl. McIlvaine indicated he understood what Mr. Avis was saying about registering, as he will need to check the DEP website to make sure he can exercise the generator depending on the air quality of the day so he felt if a generator at the garage where there is diesel fuel and gasoline would be sufficient for the Police Department to get gas as well. Mr. Avis noted the contractor that just performed work at the garage for the diesel exhaust system is working on a price and the size generator needed at the yard. Cncl. McIlvaine spoke of issues the residents of Holiday City encountered during the storm and because they had no place to go he suggested installing a generator at the Pfeiffer Center as well even if it is just a portable one or a transfer switch could be put at the Pfeiffer Center and the Road Department so the generator could be used at either location. Cncl. Miller questioned whether the State or Federal government provides grant money to do projects like this. Mr. Avis noted he already looked into that. Mayor Teefy questioned whether Cncl. McIlvaine was talking about people being moved because if so the Pfeiffer Center is not where they would go. EMS Coordinator Frank McLaughlin has discussed this with the schools and with the Red Cross and their plan is for people to be moved to the high school or middle school, as generators are already in place. **Public Safety Director Jim Smart** added the middle school has always been an authorized shelter and the high school just got designated as county wide shelters so we could end up

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with people from other municipalities. Cncl. McIlvaine questioned then why didn't the people from Holiday City get transported there during the storm and why was there a rush to get the power back on at the club house. Mr. Smart explained those shelters were not opened because it was not deemed an emergency to open them. The electric company restores power in a chronological order and Holiday City has always been at the top of the list since it was built due to the status of the people living there. Cncl. McIlvaine spoke of the emergency calls from the people on oxygen in Holiday City and he questioned whether we could guarantee that during the next storm the shelters will be open. Mr. Smart advised it is not up to us to open the shelters because that process is at the Red Cross level and if we want to open them we would be on our own. Cncl. McIlvaine went on to express his concerns about the shelters not being open during the last storm when they were apparently needed because the Mayor made phone calls to Atlantic City Electric asking them to turn the juice on in Holiday City so there was obviously a need for a shelter. Mr. Smart noted the last thing you want to do is move people out of their homes, they need to shelter in place and the avenue you pursue is getting the power back on. You take care of their need you don't try to divert it away. Cncl. McIlvaine noted he didn't want to be at the mercy of the electric company and wanted to be able to take those folks from point A to one of the shelters and he wants it to be ready. Mr. Smart noted that is a process that falls into place it is not something that because a thunderstorm knocks out power the shelters will be opened. Cncl. McIlvaine noted he was not talking about a thunderstorm he was talking about a storm like we had in June that wiped out the power for three days. We are currently in storm season so if something should happen like a Sandy type storm he does not want to beg the electric company to turn on the power for these folks. He wants to know there will be a place for them to go to take care of their needs whether it be oxygen, food, water or whatever. He does not want to be scrambling, he wants to be able to call STA to have six buses pick up those people to take them to a shelter where they will have what they need. Mr. Smart noted the problem is we have to wait for the Red Cross to open the shelters, which is the process of emergency services. The Red Cross comes with all the cots, the food and everything else, we don't have any of that there and we can't put people in that building without having all the facilities in place including police and EMS. It is not just something we do because the lights go out, this is a full process and a coordination with the electric company. The first process in any emergency service is to shelter in place unless their house is destroyed. If for some reason one of the mobile home parks got wiped out there is no choice and at that point you begin putting people on buses to take them to one of the schools and then you begin bringing in the supplies. If for some reason the electric company said the power would not be on for two weeks we would begin the process with the Red Cross to set the shelter up. We would then go door to door to see who wants to go to the shelter because you cannot force anyone to go. The correct order is to pound the electric company to restore power as quickly as possible. During the last storm with 50 mile an hour winds the electric company would not put any of their men up in buckets so why would we transport people in those conditions. They should stay at home, get through it and then find out a time when the power will be restored. Sometimes the electric company cannot tell you that depending on how much of the infrastructure has been destroyed. Mr. Smart noted Westville sheltered no one and their power was out for two full weeks. **Cncl. Miller** noted normally when something like this happens ambulance squad crews are assembled in coordination with Frank McLaughlin and

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E.) OLD BUSINESS (cont'd)

they supply oxygen to the seniors. The trustees contact the township to tell us their needs and as was said shelter in place is their plan until we get to a scenario where the Red Cross is called. Safe guards like that allow our township resources to be able to address those issues. Cncl. McIlvaine agreed but noted from being in the fire company he knows there have been numerous times when a fire truck with a generator has sat at a person's home to provide power but there are 38,000 other residents that may need that fire truck. He added he does not want these ambulances stuck in Holiday City or anywhere else. Mr. Smart explained they won't and we are ecstatic with the Red Cross being in our hip pocket because now we don't have to move our residents to Rowan, which was previously the closest shelter. We cannot open a school on our own but the fact that it is sanctioned by the Red Cross is great. If we did open our own shelter we would have to staff it on our own, which means providing cooks, cots etc. but we don't have any of that in this township and that is what the Red Cross provides. Cncl. McIlvaine questioned whether this was something done recently because in 1999 when he was in the police academy they closed the college and sent us to Holly Glen School to oversee the people that came in and the Red Cross was not involved. Mr. Smart noted all of our schools have always been deemed a temporary shelter, which means if the power is out and the people are freezing to death we can move them into there while we wait for the permanent shelters to open up and then we move them to that permanent shelter. That process has been in place for twenty plus years. Cncl. Miller noted then those facilities do not house people but they can go there to charge their phones or get water. Mr. Smart replied correct, Whitehall, Holly Glen, the Middle School and high school are all on the list. Any place with a backup generator that can produce heat or cooling depending on the season can be utilized to make people comfortable for a short time. The Red Cross handles long term shelters. If there is just the loss of electricity and not house destruction then we want to go after the electric company to restore the power and Holiday City has always been at the top of the list but with the shuffling of employees the electric company had to be reminded that Holiday City exists. Mr. Smart added after the storm the weather cooled down but if the hot weather would have hung around that would have been a different issue. The electric company did a reasonable job in bringing Williamstown back up but had they not then the next day we would have went to the plan and started opening up the shelters and getting that information out to the people even if it meant going door to door. Cncl. McIlvaine noted if you folks are happy with it then he was happy as well he just wanted to make sure we are covered if something happens. He spoke of classes that he attended that taught how people needed to be prepared to take care of themselves for three days but it didn't stipulate whether it meant the electric company or Red Cross would help and he wants to be sure Monroe Township can take care of itself for three days. Mr. Smart added we are trying to get the word out to the people that every household needs to do their own due diligence and it would be nice if Holiday City put a generator in their clubhouse so they could help take care of each other. Mayor Teeffy noted he thought they were discussing that. **Cncl. Dilks** questioned what temporary shelter met to Mr. Smart; was it three days? Mr. Smart explained the three days is for individuals to take care of themselves. Across the country the word is people should have enough water/food in their homes to take care of whoever lives in that household for three days. Storms are getting more and more frequent and the infrastructure is getting more and more tested so they are telling people you need to be self-sufficient. He added a man in South Carolina is getting a \$4,500 to \$5,000 bill for driving his pickup truck into water and

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needing to be rescued. He went on to say when people are told to turn around and not go through the water they need to listen and that is the word being put out today by emergency services. Part of what we have been talking about is putting a flyer together with a list of supplies that people need to sustain their family for three plus days. Cncl. McIlvaine noted he wants to make sure Monroe Township is prepared because he remembers running around looking for Mr. McLaughlin's generator during the storm and he does not want to be at that point ever again. If everyone feels we are safe with that and know we need to get a generator at Public Works because we need to maintain vehicles and get fuel in police cars and trucks then he was fine with that. Cncl. Pres., Caligiuri questioned whether Cncl. McIlvaine felt this issue is important enough to be discussed by the Public Safety Committee and if so that could be done. Cncl. McIlvaine replied no, adding he trusts what the Mayor and Director Avis are doing to resolve the issues. Mayor Teefy suggested that Cncl. McIlvaine attend the LEPC Meeting on November 4th to address his concerns.

F.) COMMITTEE REPORTS

Cncl. Pres., Caligiuri reported an Administrative Committee Meeting was held with the MMUA to try to hammer things out rather than exchanging emails or text messages. The MMUA brought along their professionals that did substantially address some of our concerns and actually raised some other questions so the Administrative Committee will meet again to discuss the answers we received and maybe pose some additional questions to the MMUA. It would appear that the MMUA is cooperative and does have some justification for the things that they have done. They may owe us a couple more explanations but it looks like the flame throwers and bottle rockets are gone.

Director of Public Safety, Jim Smart reported he met with the man working on the Blue Bell Road Bridge and that work will be completed in approximately three weeks, as he ran into some infrastructure problems when making the repairs.


G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - None

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED - None

I.) ADJOURNMENT

Cncl. Miller made a motion to adjourn the Council Work Session of October 12, 2015. The motion was seconded by **Cncl. Dilks** and was unanimously approved by all members of Council.

Respectfully submitted,



**Susan McCormick, RMC
Municipal Clerk**



Presiding Officer

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These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of October 12, 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 AmJ Date 10/26/15
Approved as corrected _____ Date _____