

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
DECEMBER 2, 2015**

A.) CALL TO ORDER & ROLL CALL

The Ordinance Committee Meeting of the Township of Monroe was called to order at approximately 7:02 PM by **Cncl. Dilks** in the Second Floor Meeting Room of the Municipal Complex located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the Open Public Meetings Act of New Jersey (NJSA 10:4-6 thru 10:4-21). Notices were placed in the official newspapers for the Township of Monroe (i.e.: South Jersey Times, the Courier Post and the Sentinel of Gloucester County) and copies were posted on the bulletin board at the Municipal Complex.

SALUTE TO THE FLAG

Cncl. Bryson led the assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Frank Caligiuri	Present	
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner		Excused
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller		Excused
Ord. Chairman, Marvin Dilks	Present	
Mayor Daniel Teefy	Present	
Business Administrator, Kevin Heydel	Present	(Arrived 7:05 PM)
Solicitor, Charles Fiore	Present	
Township Clerk, Susan McCormick	Present	

B.) APPROVAL OF MINUTES

Cncl. Pres., Caligiuri made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of October 20, 2015. The motion was seconded by **Cncl. McIlvaine** and approved by all members of Council in attendance.

C.) PUBLIC PORTION

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

D.) ORDINANCES FOR REVIEW - None

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E.) MATTERS FOR DISCUSSION

- **Amendment to Chapter 162-11 "Certificate Of Occupancy"**

Construction Official Jim Morrison was in attendance to explain the proposed increase in fees for Chapter 162-5 and 162-11. He recommended the fees for resale be increased to \$100.00, \$50.00 for a rental and \$25.00 for a re-inspection and that the annual inspection requirements in both sections 162-5 and 162-11 be repealed. **Solicitor Fiore** explained recent case law says that the fee for annual inspections is illegal and since this could have retroactive ramifications it needs to be repealed immediately at the next meeting. **Business Administrator Kevin Heydel** indicated that would amount to \$75,000.00 in income. Mr. Morrison replied not really because of what will be charged for change in occupancies. Mr. Heydel felt that would not make up \$75,000.00. Mr. Fiore noted that is unfortunate but the courts have said that fee is illegal. **Cncl. Dilks** polled the members of Council in attendance and all were in favor of Mr. Fiore preparing the proposed amendments for the December 14th Regular Council Meeting.

- **Cooperative Business Assistance Corporation (CBAC)**

Business Administrator Kevin Heydel explained the Economic Development Commission is working in conjunction with the Gloucester County Small Business Revolving Loan Program; a program that offers low interest loans. To establish that program here the Township is required to put up \$5,000.00 in collateral and he questioned whether that would need to be done by ordinance or by resolution. **Solicitor Fiore** suggested it be done by ordinance since there will be an outlay of capital. Council questioned how long the collateral would have to remain there and if it was a onetime outlay or if \$5,000.00 would be put out for each applicant. Mr. Heydel replied this is a onetime outlay but he didn't know how long the money would have to remain as collateral. He distributed information regarding a façade program called "Curb Appeal" that Woodbury instituted to encourage business owners to make repairs to their businesses along their main street. Loans of up to \$2,500.00 are given when the business owner puts up \$1,000.00 of their money to join the program. Mr. Heydel noted according to Ernie Carbone the \$5,000.00 is just collateral, which he was assuming would be used if a person defaults on their loan but as he read through some of the documentation it says that money is used for the interest on the loan. He noted he wants to get clarification from Ernie as to exactly what that \$5,000.00 will be used for. **Cncl. Bryson** noted the information provided is contradicting because in one place it says you can use the money borrowed for the purchase of real estate and then in another place it says it cannot be used to purchase real estate. Mr. Heydel explained that information deals with the other municipality's program. Our program would be the Monroe Township Façade Program and it deals with exactly what we are looking for. Our loan would be for \$2,500.00 while the other town's loan program could be higher. **Cncl. Dilks** questioned what the qualifications were to be considered a small business. Mr. Heydel noted the information does not give the definition of what a small business is but noted if the money will be used to spruce up Main Street he didn't care if the business was a medium size or the small mom and pop shop on the street. **Solicitor Fiore** explained the distinction is the Gloucester County Façade Program is a governmental program while the other is a private program. In Woodbury they have a variation where they use it for curb appeal and it can only be used for awnings, glass fronts and store fronts. The money cannot be used to buy real estate, putting a new roof on or for siding.

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E.) MATTERS FOR DISCUSSION (cont'd)

Mr. Heydel noted after talking with Ernie he felt that is the goal of the Economic Development Commission. They want to set the parameters but he will get clarification on that. Mr. Fiore explained the financial calculations in the proposed program and noted this type of program is available right now but we may have to adopt a resolution to enroll in it. He added this program is similar to the previous Façade Grant Program we had with the County. Mr. Heydel explained seventeen \$2,500.00 loans would be granted, the business owners would invest \$1,000.00 into the Façade project and the township would invest \$5,000.00 for a total of \$64,500.00. Mr. Fiore recommended including language in the ordinance that says if the program is not working the township will have the ability to opt out. Mr. Heydel added if the program really takes off and expands to more than seventeen loans we may need more than \$5,000.00. He added the reason he wants to do the ordinance now is to use the funds from the 2015 budget. Approximately \$2,000.00 will be transferred into Economic Development because they just did a communications project for \$10,000.00. Cncl. Dilks polled Council and all in attendance were in favor of moving an ordinance forward for this project.

F.) NEW BUSINESS

Cncl. Bryson noted he heard some rumors and would like to know what exactly is going on with Main Street; will we be getting a brewery or restaurant and who has invested in it. Mayor Teefy explained Dr. Briller purchased the white building next to his office and is going through the Pinelands to get permits to do a demolition project. He is hoping to hold the same footprint and doesn't want to be told once the building is demolished that a new building must be moved twenty feet. The foundation of the building will probably be dug deeper for more storage and then a new building will be constructed with a restaurant in the front and a brewery in the back area. The township owns the property behind him and we can sell a piece of that to him through our rehab zone, which we are looking into making. Rental units will be on the top of the building and he is hoping to have a gate and walk through to seating at the microbrewery. According to the law a microbrewery cannot sell food but it can be ordered from the restaurant and delivered to patrons or they could bring their own. Cncl. Bryson questioned if Dr. Briller was doing the microbrewery or if someone else was. Mayor Teefy noted another group that includes a husband and wife from town and a brew master from out of town is trying to find a spot for a microbrewery and we are trying to partner them to go there. Cncl. Bryson questioned what kind of building do they need. Mr. Fiore responded about a 5,000 square foot building and Mayor Teefy added with a lot of heavy cement because they are looking at fifteen different tanks. Cncl. DiLucia requested Mr. Fiore to explain his letter regarding a redevelopment attorney. Mr. Fiore explained Jim Maley is the foremost redevelopment expert in New Jersey. He has has been involved in Gloucester City's redevelopment, is the Mayor of Collingswood, is the redevelopment attorney for Atlantic City and knows all the options under the law. He was the one who brought up the option of a Rehabilitation Zone, which can be declared by Council versus a Redevelopment Zone that involves the Planning Board to conduct a study. The advantage in declaring an area a Rehab Zone is the process is much speedier and that's why it's being suggested. Mr. Fiore explained because we didn't have an RFP for a Redevelopment Attorney he was suggesting that Mr. Maley do the work that needs to be done between now and the end of the year and those services will be billed through the legal account. Mr. Maley will be sending us a Retainer Agreement so until that is

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F.) NEW BUSINESS (con't)

received we won't know what his hourly rate is. Next year an RFP will be put out to appoint a Redevelopment Attorney. Cncl. Bryson questioned whether the Ireland House will be included in the Rehabilitation Zone. Mayor Teefy replied no but Dr. Briller wants his business to be included in that area, as he would like to create a garden type atmosphere at the microbrewery. He spoke of how microbreweries can now sell by the pint where previously they were just tasting facilities. Cncl. Bryson questioned are they still looking to do something at the old Penn Jersey Store next to the theatre. Mayor Teefy replied someone is looking at buying in that area for manufacturing but he heard they may carve off the Penn Jersey Store to do something else there. Cncl. DiLucia noted right now he views this at the cross roads of economic development and understands the nostalgic of Main Street but realistically if we are going to draw business to the area that stands a chance of surviving economically, in his opinion, the place that will happen is on the pike. Dr. Briller has a real interest there, which Cncl. DiLucia noted he didn't blame him for wanting to branch out from his dental office but he questioned whether that is to the township's advantage to really start putting efforts into that area as opposed to the pike. He felt in viewing the traffic on Main Street and the traffic on the pike it is a no brainer where the chances of someone making it economically will be and personally if he was going to invest money on a brewery it would be located on the pike. If all our energy is put on Main Street and those businesses fail that whole endeavor will fail so we better make sure we do the right thing right out of the gate. Mr. Fiore noted everyone tries to define what economic development is and probably the era of the big and small box stores has passed so we are trying to come up with something that is a little different to create a niche. It may fail but hopefully it won't but location will have a lot to do with it and they feel it would be a stronger attraction in the downtown area versus the Black Horse Pike. Cncl. DiLucia noted years ago he had a business that was located in a very good area. The business grew and he relocated to an area that did not have the same type of traffic and business dropped off to a degree that there was a substantial difference in profits. He added we have space to grow on both the pike and Main Street but if he had a choice, he would steer investors/developers towards the pike because we want businesses to survive. The worst thing in the world that could happen is for businesses to fail because then no others will want to come here and businesses along Main Street haven't had much luck. Mr. Fiore noted he was not a believer until he heard part of the presentation where they gave examples and literature about small breweries that have cropped up in five or six places; one in an old bank in downtown Mt. Holly. The people going to microbreweries are looking for a homey/cozy place. Beer tasting is only part of that business the other is manufacturing and shipping the beer out. Mr. Fiore suggested having Jim Maley come to a Work Session Meeting to explain the process. Cncl. Bryson spoke of the way Main Street used to be when everything people needed was economically right here and of how our Main Street was never like that of Collingswood, Haddonfield or Gloucester City, as it consisted of homes, professional businesses and a few other things, which can be seen from the historical pictures from the 1930's. He suggested rehabbing and turning some of the dilapidated buildings into condominiums, not rental units. He felt turning Main Street into a business area would be a great endeavor but it may not have enough traffic to support those businesses so a brewery and restaurant may want to locate in a higher traffic area such as Main Street and Route 322.

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E.) MATTERS FOR DISCUSSION (cont'd)

Cncl. DiLucia spoke of how the Cape May business district draws many people and how in 1978/1980 a developer was talked into building the same thing in Philadelphia with businesses on the bottom floor and apartments on the top. That development died because unless you lived in the area people didn't know it was there. It was a beautiful idea and a beautiful location but the only store that made out was Gooley Looie's, a hoagie shop and he was concerned the same thing would happen here. He did agree that people like to go to a romantic setting but he was concerned that a brewery on Main Street wouldn't work out. The reason Collingswood made it was because the gay community settled there and turned it into a craft place and Haddonfield has a main thoroughfare that is a beautiful street. Hammonton's main business was blueberries and when the pickers came most of their Main Street turned Hispanic and businesses closed. Businesses are now reopening on their main thoroughfare, which is Route 54, because Hammonton's town fathers subsidized the town by putting up their private money to build the hospital and help businesses but they are still teetering. Cncl. DiLucia noted he is not saying it can't happen and he understands Dr. Briller wanting it next to his office, but, if we have a choice the Black Horse Pike is a main thoroughfare that has much more traffic than Main Street. Cncl. Dilks noted there is not a thoroughfare in Pitman but a lot of people go to their theater and the Swedesboro Main Street, which has a really good Italian restaurant is coming back. Cncl. DiLucia replied one of the most successful Italian restaurants in this area was in Pitman and he was surprised when that went under. Council discussed the parking along Main Street and Mayor Teefy noted we don't have a parking problem because people going to the Grand Theater find a place to park along Main Street, and on the side streets. He noted when looking at our situation we have two dynamic corridors in town, Main Street and the Black Horse Pike that have commercial and mixed use areas. The Main Street Committee was created to concentrate on Main Street and the Economic Development Committee is trying to stimulate business on the Black Horse Pike. Hopefully with the Redevelopment Zone being changed Stuart will do something with his property and once that is done other things will follow. That may then increase the value of other people's properties and they may want to improve their rental units to make them really nice. We can't just sit back and try one or the other. The Mayor added we never did anything to Main Street until the early 2000's when sidewalks were paved and the new street lights installed but then it fell off which is why he created the Main Street Committee to come up with some ideas to try to stimulate things. Cncl. DiLucia questioned whether the redevelopment attorney they were thinking about hiring would be looking at the development on the Black Horse Pike and Main Street or was he primarily just looking at Main Street. Mayor Teefy replied he will assist us with both but we laid Main Street out to him more to see what we could do and he is the one who said to hold off on the Redevelopment Zone to do a Rehab Zone. Cncl. DiLucia questioned whether the attorney felt there were possibilities for Main Street. Mayor Teefy replied definitely, he thinks Main Street has the bones for something to grow there. He added in regards to traffic he knows firsthand from living on Main Street that it has a lot of traffic. Cncl. Bryson noted we need traffic coming from Route 322 to come down Main Street instead of turning onto Sicklerville Road towards the pike. Mayor Teefy spoke of the Collingswood Main Street and noted people are going there because they heard about their restaurant not because they were driving by on a major thoroughfare. Cncl. DiLucia agreed that if a good restaurant is located on Main Street people will go but once a restaurant does not get a lot of business it will decay and go down because they cannot afford to keep the food fresh. He spoke of the new restaurant on Corkery Lane and how he hopes it will

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E.) MATTERS FOR DISCUSSION (cont'd)

make it because during the first year 75% to 80% of restaurants fail and the location of that one is hard to find. Mayor Teefy commented if he would have known that restaurant was opening he would have pushed the owner towards Main Street because people would like to go to dinner and then to the theater.

G.) OLD BUSINESS

Mayor Teefy noted the reason he is looking into the position of Director of Community Development/Zoning Officer is to have someone work with economic development eight hours a day to help people through the process. We need to have someone in place to bring in businesses where they would fit into the community. We can't have a ShopRite or Walmart on Main Street so we need the niche type store such as a craft store that people will come to. Cncl. DiLucia questioned is there an advantage to having one person perform both jobs. Mayor Teefy explained the people will be coming in for zoning permits so she will be able to direct them through the process. Cncl. DiLucia questioned the number of directors we currently have. Mr. Heydel advised there are seven and we are allowed nine. Mayor Teefy noted the Director of Community Affairs was never replaced so he may look at that position down the road. Cncl. DiLucia noted we create the position and if productive it's worthwhile. If it's not productive we can always revisit it. Mayor Teefy felt we should not say it will never work we should at least give it a try. Cncl. DiLucia stated he was not saying that, what he was saying is that if we are putting effort and money into it he would be looking at what would be the better investment at the starting point. Do we put all our marbles into Main Street or into the Black Horse Pike in terms of what will have the best return of revenue and what will pay dividends. He noted in his opinion and he could be wrong, but his opinion would be to put time and money into the Black Horse Pike, as he felt that has a better chance of surviving. Mayor Teefy noted he is looking into doing both but that may be stretching it. Cncl. DiLucia felt it may be hard to do both because of money constraints but he hopes in five years he can say let's go to the brewery and restaurant next door but he felt a better location for that would be on the Black Horse Pike.

Cncl. McIlvaine felt there would be two different clientele. The people looking for a quaint atmosphere would go to a craft store or winery on Main Street while the Black Horse Pike has shopping from ShopRite and Walmart. Not many towns have Main Street so we are fortunate for what we do have. He added from his experience as a child growing up here he could name all the businesses that were on Main Street but unfortunately when Deptford Mall came that went down the tubes. We also had town fathers that were very narrow minded and turned things away such as Kennedy Hospital that wanted to come here and was turned away because they wanted it to stay a small bedroom community. Fortunately we have had some changes and people are seeing things differently so we have Walmart and people like Mayor Teefy trying to bring things back. He spoke of going to the Finger Lakes wineries every October and noted you would be surprised at how far people travel to go to wineries. He felt this is a fantastic idea to invest in something quaint for Main Street. He added the Black Horse Pike is for people looking to buy groceries or gasoline but he is hoping Main Street will be a different type of atmosphere for people going to the Grand Theater or brewery.

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G.) OLD BUSINESS

Cncl. Bryson spoke of a winery opening in the township and questioned where it was going to be located. Cncl. McIlvaine explained on Malaga Road and Sunset where the nursery is currently located. Mayor Teefy noted the owner has big plans and is ready to roll with his winery and there is another on Blue Bell that is in the beginning stages of growing grapes. Cncl. Bryson noted wineries are the business in California.

Business Administrator Kevin Heydel reported a Memorandum of Understanding has been reached with the Police Chief, the Deputy Chief and the Superior Officers Association and it will be prepared for the next Council Meeting. He noted if he receives everything by Friday he will email the information to Council in case they wanted to hold an admin committee meeting to discuss the MOUs prior to the Council Meeting.

Township Clerk, Susan McCormick reported since September she has been working on the Person to Person Transfer of Maro Brothers Liquor License. This transfer has been scheduled on three meeting agendas but prior to every meeting Buy Right Liquors, the chain from North Jersey purchasing the license, always had an issue and called to remove it from the agenda. She requested the Solicitor to look over the packet, as the seller wants it to go through at the December 28th meeting so it has been tentatively scheduled. Their application is complete and has been sent to ABC. The problem is getting the advertising for the date they want because they keep pulling it. Mrs. McCormick noted she was in touch with the attorney's office today and this will be the last chance they have to put it through this year. If it doesn't go it will have to put it off into next year and that could be a problem. She noted we have to have our meeting on December 28th for the second reading of the ordinances and for the Person to Person Transfer. Mayor Teefy questioned whether that license recently transferred. Mrs. McCormick advised just the trade name was changed, the owner remained the same. She added she wanted to make Council aware of this because they will have to review the rather large transfer packet. On December 29th, if the resolution is approved, Maro Brothers will surrender the license to her at which time she will endorse it over to the new owner.

H.) ADJOURNMENT

With nothing further to discuss Cncl. McIlvaine made a motion to adjourn the Ordinance Committee Meeting of December 2, 2015. The motion was seconded by Cncl. DiLucia and unanimously approved by all members of Council in attendance.

Respectfully submitted,



Township Clerk, Susan McCormick, RMC



Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of December 2, 2015 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted _____



Date _____

1/6/16

Approved as corrected _____

Date _____