

**MINUTES
REGULAR COUNCIL MEETING
TOWNSHIP OF MONROE
APRIL 11, 2016**

A.) OPENING CEREMONIES

CALL TO ORDER

The Regular Council Meeting of the Township of Monroe was called to order at approximately 8:00 PM by **Cncl. Pres., Cody D. Miller** 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 and also on the Monroe Township website.

Cncl. Pres., Miller stated the Clerk has placed a sign-in sheet in the meeting room. If anyone would like to address Council please sign in and you will be recognized during the Public Portion. Kindly state your name for the record.

SALUTE TO FLAG

Cncl. Dilks led the Assembly in the Pledge of Allegiance to Our Flag and **Cncl. Pres., Miller** offered the Invocation.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walt Bryson	Present
Cncl. Frank Caligiuri	Present
Cncl. Marvin Dilks	Present
Cncl. Rich DiLucia	Present
Cncl. Bob Heffner	Present
Cncl. Bart McIlvaine	Present
Cncl. Cody Miller	Present
Mayor Daniel Teefy	Present
Solicitor Charles Fiore	Present
Business Administrator, Kevin Heydel	Present
Engineer, Chris Rehmann	Present
Dir. Of Code Enforcement, George Reitz	Present
Dir. Of Public Safety, Jim Smart	Present
Dir. Of Public Works, Michael Calvello	Present
Deputy Mayor Andy Potopchuk	Present
Municipal Clerk, Susan McCormick	Present

PRESENTATION - None

APPROVAL OF MINUTES

Cncl. Heffner made a motion to approve the minutes as submitted of the Council Work Session and Regular Council Meeting of March 14, 2016. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council.

B.) CORRESPONDENCE - None

C.) RESOLUTIONS SCHEDULED - PUBLIC PORTION

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

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

R:79-2016 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Extension Of The Shared Services Agreement Between The Township Of Franklin And The Township Of Monroe, County Of Gloucester, State Of New Jersey For Certified Tax Collector And (1) Clerical Support Staff (*Tabled at March 14, 2016 Regular Council Meeting*)

Cncl. DiLucia made a motion to remove Resolution R:79-2016 from the Table. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council.

Cncl. Caligiuri made a motion to approve Resolution R:79-2016. The motion was seconded by **Cncl. Bryson**.

Cncl. DiLucia advised he would be voting yes due to the interpretation the Business Administrator made on the record.

ROLL CALL VOTE TO APPROVE RESOLUTION R:79-2016 - ALL AYES

Tally: 7 Ayes, 0 Nays, 0 Abstain, 0 Absent. Resolution R:79-2016 was duly approved for adoption.

R:90-2016 Introduction Of The 2016 Municipal Budget

Cncl. Heffner made a motion to approve Resolution R:90-2016. The motion was seconded by **Cncl. Dilks**.

Cncl. DiLucia noted he would be voting no to the introduction to the budget only because he disagrees with the budget as it exists now.

**ROLL CALL VOTE TO APPROVE RESOLUTION R:90-2016
5 AYES, 2 NAYS (Bryson, DiLucia)**

Tally: 5 Ayes, 2 Nays, 0 Abstain, 0 Absent. Resolution R:90-2016 was duly approved for adoption.

R:91-2016 Resolution Adjusting Township Of Monroe Tax Records

Cncl. Bryson made a motion to approve Resolution R:91-2016. The motion was seconded by **Cncl. Caligiuri** and unanimously approved by all members of Council.

R:92-2016 Resolution Of The Township Council Of The Township Of Monroe Awarding A Contract To Insurance Design Administrators For Third Party Administrator Services For Medical And Prescription Reimbursement For The Township Of Monroe Employees, Retirees And Their Families

Cncl. McIlvaine made a motion to approve Resolution R:92-2016. The motion was seconded by **Cncl. Dilks**.

Cncl. DiLucia questioned whether the Solicitor has approved the contract for R:92-2016. **Solicitor Fiore** advised he was fine with it but he wanted to speak to the Business Administrator about a couple additional charges for service calls, postage and check charges that had no number affixed to them. **Mr. Heydel** explained the additional check charges will be controlled because we will be consolidating the family plans and making reimbursements in one check on a quarterly basis. **Cncl. DiLucia** commented that some of the legal language was pretty deep but if **Mr. Fiore** feels comfortable with it, it is fine. **Mr. Fiore** agreed it was confusing; noting he read it at least two times.

Cncl. Bryson noted it was his understanding that this was the only person who submitted a proposal and he questioned whether there was an annualized cost for this. **Mr. Heydel** advised this year the cost will be \$30,000.00 to \$34,000.00 and next year it will be approximately \$40,000.00. He explained approximately 5,000 reimbursements will be made for prescriptions but we will not get 5,000 check charges because we are going to control how the funds are disbursed.

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

Cncl. Pres., Miller questioned whether there was an option for direct deposit so we would not get charged for a check. Mr. Heydel thought so but he would look into that.

With no other questions **Cncl. Pres., Miller** took a voice vote and Resolution R:92-2016 was unanimously approved by all members of Council.

R:93-2016 Resolution Of The Township Council Of The Township Of Monroe Awarding Bid To Air Power International For Services Associated With The Purchase And Installation Of Breathing Air Compressor System For Use Of Refilling SCBA And Scuba Cylinders As Specified In The Bid Specifications For The Township Of Monroe, Gloucester County And Authorizing The Proper Township Officials To Execute The Required Documentation

Cncl. Bryson made a motion to approve Resolution R:93-2016. The motion was seconded by **Cncl. Caligiuri**.

Cncl. Heffner questioned where this equipment would be located and would Cecil be able to use it as well. **Cncl. Pres., Miller** noted it would be in the main Williamstown Fire Station and **Director of Code Enforcement, George Reitz** advised Cecil has their own equipment which stays on their truck.

With no other questions **Cncl. Pres., Miller** took a voice vote and Resolution R:93-2016 was unanimously approved by all members of Council.

R:94-2016 Resolution Of The Township Council Of The Township Of Monroe Authorizing The Execution Of A Contract For Professional Services With Rodier Ebersberger Architects LLC For Improvement Cost Analysis For The Williamstown Fire Company Within The Township Of Monroe, County Of Gloucester, State Of New Jersey

Cncl. Caligiuri made a motion to approve Resolution R:94-2016. The motion was seconded by **Cncl. Heffner**.

Cncl. Bryson noted one architectural review was done for this building about two years ago at a cost of approximately \$5,500.00 and he questioned whether Mr. Rodier will use some of the things from that or is he going to start from the beginning due to the \$7,500.00 cost included in this resolution. **Cncl. Caligiuri** noted the original plan included elevators and it was very expansive so they will have to start from the beginning again.

Cncl. DiLucia noted Mr. Rodier is charging about 50% more than the other architect charged to do less. He will be providing a scaled down version and we are paying a lot more for a lot less. **Cncl. Pres., Miller** noted the fire company was not satisfied with the original plan drafted by Conley because they felt it was way too much and that they did not have enough input. This survey will cost more but it will be the scaled down version they want. **Cncl. DiLucia** noted if we paid \$5,000.00 for the Cadillac version and this will be a scaled down version we are paying more for less. **Cncl. McIlvaine** commented the original was \$6,000.00 to \$6,600.00 but the fire company was very dissatisfied with the Conley plan. They explained to Rodier and his partner their needs and that the project should be done in three phases. The result will be the same but done in phases so it will be more palatable for the township budget. The cost for this analysis could also be more because it is two or three years later. **Cncl. DiLucia** felt that the cost could be higher if there was a lack of competition and there was only one bidder. **Cncl. Pres., Miller** questioned if there were multiple bidders for this project. **Cncl. McIlvaine** noted multiple RFQs were submitted and the Fire Company decided to go with this firm. **Cncl. Bryson** noted the first architect sat down with members of the fire company but now there may be a different administration in the fire company that has different ideas. **Cncl. Pres., Miller** advised the committee handling this did not change when the leadership in the fire company changed. The members are the same and were not satisfied with the first product, as they felt it was way out of range, the cost was too high and they didn't feel they had as much input as they should have. **Cncl. Bryson** questioned whether Cecil was satisfied with the plan the previous architect presented for them. **Cncl. Pres., Miller** noted the township is contemplating alternative measures in terms of the location for the Cecil Fire House because they have outlived the footprint of the existing firehouse.

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

Joe Kurz, President of the Williamstown Fire Company added the first proposal was not what was asked for and that is why the committee met with Mr. Rodier and explained what they wanted. The Public Safety Committee had explained to us that the project would be funded over three years and that was explained to Mr. Rodier. **Business Administrator Kevin Heydel** explained this proposal is for a full analysis so Council will be well informed of the full project cost. This can be compared to what Conley did and see what the differences are and then each one can be validated. Rodier was told to lay it out in three phases and give us a cost of each phase of the project so Council will have the knowledge of what the cost will be before it is approved. Cncl. Bryson noted Conley did not operate in a vacuum he got input in order to generate that plan and now the two plans can be compared. Cncl. Heffner questioned if the architect is going to check the foundation of the building before going any further. Mr. Kurz advised an engineering study will be done to see if the building will hold a second floor.

With no other questions Cncl. Pres., Miller took a voice vote and Resolution R:94-2016 was unanimously approved by all members of Council.

R:95-2016 Resolution Of The Township Council Of The Township Of Monroe Awarding Bid To Richard E. Pierson Construction Co., Inc. For Services Associated With The Demolition Of The Old Monroe Township Library Within The Township Of Monroe, Gloucester County And Authorizing The Proper Township Officials To Execute The Required Documentation

Cncl. Heffner made a motion to approve Resolution R:95-2016. Cncl. Bryson seconded the motion.

ROLL CALL VOTE TO APPROVE RESOLUTION R:95-2016
6 AYES, 1 ABSTAIN WITH CAUSE (Dilks)

Tally: 6 Ayes, 0 Nays, 1 Abstain With Cause, 0 Absent. Resolution R:95-2016 was duly approved for adoption.

R:96-2016 Resolution Authorizing The Reduction Of An Irrevocable Standby Letter Of Credit For "Stirling Glen 1" Development Phase 1, Section 1, Subdivision #1713, Block 14201, Lot 1

Cncl. Heffner made a motion to approve Resolution R:96-2016. The motion was seconded by Cncl. Dilks and unanimously approved by all members of Council.

D.) ORDINANCES

Cncl. Pres., Miller turned this portion of the meeting over to **Ordinance Committee Chairman, Cncl. Heffner**. Cncl. Caligiuri 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. Dilks and unanimously approved by all members of Council in attendance.

Robert Washburn, of Flaster Greenberg , Counsel on behalf of the South Jersey Builder's League was in attendance to comment on Ordinance O:09-2016. Mr. Washburn noted he originally wrote to Council on February 18th to express certain legal objections to the sidewalk contribution included in Ordinances O:05-2016 and O:06-2016. At that time Council removed the ordinances from its agenda in order to consider the Builder's League comments and his partner attended the March Ordinance Committee Meeting to discuss the objections, goals and objectives of the ordinances. On March 31st Mr. Fiore sent him a letter requesting dates when his clients and representatives from the township could meet to talk about the ordinance to see if some accommodations could be made to satisfy everyone. Mr. Washburn noted he sent Mr. Fiore some dates and is waiting to hear back from him on that. Mr. Fiore's letter included a copy of Ordinance O:09-2016, which is on the agenda this evening, and stated that ordinance did not contain any language dealing with sidewalks. Mr. Washburn noted he was confused because Section J. of Ordinance O:09-2016 contains virtually the same language concerning sidewalk contributions that was included in Ordinances O:05-2016 and O:06-2016, which were originally complained about. He noted he was in attendance this evening to ask Council to reject

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D.) ORDINANCES (cont'd)

Ordinance O:09-2016 to give him a chance to meet with representatives from the township to try to work something out. **Mr. Fiore** noted he spoke to Joe Rocco, Planning Board Solicitor, last week regarding this issue. He explained what he was referring to in his letter was Ordinance O:05-2016 not O:06-2016. Ordinance O:06-2016 and now O:09-2016 dealt with site plan waiver in the context of change of occupancy not like O:05-2016, which dealt with development of virgin land. **Mr. Fiore** recommended Council Table Ordinance O:09-2016 until the next meeting and then a meeting could be scheduled with **Mr. Washburn** and **Mr. Rocco** to try to iron some of this language out.

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

O:09-2016 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 175 Of The Code Of The Township Of Monroe, Entitled "Land Management"

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

Cncl. Caligiuri made a motion to Table Ordinance O:09-2016. The motion was seconded by **Cncl. Pres., Miller** and unanimously approved by all members of Council.

O:10-2016 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 4 Entitled "Administrative Code"

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

Cncl. Caligiuri made a motion to approve Ordinance O:10-2016 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Pres., Miller**.

ROLL CALL VOTE TO APPROVE ORDINANCE O:10-2016 FOR SECOND READING AND PUBLIC HEARING - 6 AYES, 1 ABSTAIN WITH CAUSE Dilks)

Tally: 6 Ayes, 0 Nays, 1 Abstain With Cause, 0 Absent. Ordinance O:10-2016 was duly approved for Second Reading and Public Hearing.

O:11-2016 An Ordinance To Amend The Code Of The Township Of Monroe Fixing And Establishing Salaries And Rates Of Compensation Of Officers And Employees Of The Township Of Monroe, In The 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.

Cncl. Pres., Miller made a motion to approve Ordinance O:11-2016 for Second Reading and Public Hearing. The motion was seconded by **Cncl. Caligiuri**.

Cncl. McIlvaine questioned whether this Salary Ordinance was for the director positions and would all directors be making the same salary. **Mayor Teefy** explained this ordinance includes the director's salaries as well as all those approved by contracts. He noted he is looking into making all the directors the same but there is a range from \$4,000.00 to \$6,000.00. **Cncl. McIlvaine** questioned what was being changed in this ordinance for the directors. **Mayor Teefy** explained one change is the Director of Community Affairs will no longer be a full time salaried position that will now be a stipend position between \$4,000.00 and \$6,000.00. Since all directors were not even it was felt a range of \$4,000.00 to \$6,000.00 should be included in the ordinance. **Cncl. McIlvaine** noted his point to these questions is whether all directors will be making the same salary. **Mayor Teefy** replied, they may not be making the same salary.

Cncl. DiLucia noted he pointed out during the budget meeting that some people are going to \$6,000.00 and some are staying at \$4,000.00 and he requested clarification on that. **Mayor Teefy** replied that is correct.

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D.) ORDINANCES (cont'd)

**ROLL CALL VOTE TO APPROVE ORDINANCE O:10-2016 FOR SECOND
READING AND PUBLIC HEARING - 5 AYES, 2 NAYS (Bryson, McIlvaine)**

Tally: 5 Ayes, 2 Nays, 0 Abstain, 0 Absent. Ordinance O:11-2016 was duly approved for Second Reading and Public Hearing.

O:12-2016 Bond Ordinance Authorizing The Completion Of An Expansion Project At Earling E. Owens Memorial Park In And For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$780,000 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 \$390,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. DiLucia made a motion to approve Ordinance O:12-2016 for First Reading and Publication. The motion was seconded by **Cncl. Pres., Miller**.

Engineer Chris Rehmann noted he wanted Council to understand that the \$780,000.00 is a 50% loan and 50% grant from the Green Acres Program so the entire amount must be appropriated and then the township will be reimbursed.

With no other comments **Cncl. Heffner** requested a voice vote and all members of Council approved Ordinance O:12-2016 for First Reading and Publication.

O:13-2016 Ordinance Of The Township Of Monroe, In The County Of Gloucester, New Jersey, Approving And Authorizing The Entering Into And Execution And Delivery Of Amendments To Existing Equipment Lease And Agreement And Improvement Lease And Agreement With The Gloucester County Improvement Authority In Connection With The Authority's 2016 Governmental Lease Revenue Refunding Program

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Pres., Miller made a motion to approve Ordinance O:13-2016 for First Reading and Publication. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

O:14-2016 Bond Ordinance Authorizing The Demolition Of An Existing Library Building In And For The Township Of Monroe, County Of Gloucester, New Jersey; Appropriating The Sum Of \$160,000 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 \$152,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Pres., Miller made a motion to approve Ordinance O:14-2016 for First Reading and Publication. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

O:15-2016 An Ordinance Of The Township Council Of The Township Of Monroe To Amend Chapter 226 Entitled "Parks And Playgrounds"

First Reading: A copy of this ordinance was posted on the bulletin board at the Municipal Complex. Additional copies were made available to the public.

Cncl. Pres., Miller made a motion to approve Ordinance O:15-2016 for First Reading and Publication. The motion was seconded by **Cncl. McIlvaine**.

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D.) ORDINANCES (cont'd)

Cncl. DiLucia questioned whether the section of Chapter 226 that prohibits animals in the parks was amended because Council approved the ordinance that included a dog park. Mr. Fiore noted he would amend Section 2A "Domestic Animals" to include the language "no animals shall be permitted on premises except in designated areas".

Cncl. Pres., Miller made a motion to amend his original motion to include the language recommended by the Solicitor. The motion was seconded by Cncl. McIlvaine and unanimously approved by all members of Council.

E.) REPORTS AND OTHER MATTERS

Cncl. Caligiuri reported attending the March 21st Environmental Commission Meeting. The Commission discussed connecting with clubs from the Monroe Township School District, researching available grants, updating the Environmental Resource Inventory, creating a webpage, creating four rain gardens and the availability of the ANJAC grant. Cncl. Caligiuri reported attending the Planning Board Meeting on March 31st where Mr. Stoltzfus requested approval to move the store dividers within the Farmers Market and with a simple zoning review that request was granted. H & M Development Self Storage requested an accessory use to store U-Haul vehicles and that was granted. They also requested relieve for a sign that was placed on their property illegally. Other applications heard were LaBamba Grocery & Deli that will be taking over Pat's Deli at 408 North Main Street and Advisory Fitness at 3497 South Black Horse Pike (Williamstown Pavilion Shopping Center and that was approved. The last application heard was from Blanco's Kids, which is a non-profit organization fulfilling the wishes of children in need. The application was to relocate their administrative building to 621 Main Street.

Cncl. Bryson reported the Historical Society is moving forward with the British Car Show on May 21st. Other things will be at the car show this year and we are asking that an add be placed in the newspaper inviting owners of other types of cars such as MGs, Jaguars and Aston Martins to participate in addition to the members of the South Jersey Car Club. More information about this event will be available as the event gets closer. Cncl. Bryson spoke of the New Jersey Exit Tax and noted at the next televised council meeting he will try to describe what that tax is, who it affects and what the results from it are because there have been misleading comments about it.

Cncl. DiLucia reported today Congressman Norcross introduced legislation that would change the cost of living calculations for senior citizens and disabled. In his presentation he said that three out of the last seven years seniors received no increase whatsoever and hopefully this legislation will start some discussion. Cncl. DiLucia noted he didn't see it passing with the congress we have right now but at least it is being brought to the forefront.

Cncl. McIlvaine reported the Friends of the Library are having a book sale today through Saturday during regular library hours and they have requested that the Mayor and Council stop in if they can.

Mayor Teefy reported on Thursday, April 14th from 8:00 AM to 10:00 AM the Gloucester County Chamber of Commerce is holding a Spotlight on Monroe Township at the Grand Theater and he invited everyone to attend this event to find out more about the economic development going on in town. New businesses such as LaBama Mexican Deil and Cakes and Cookies are moving in to vacant buildings. The Mayor reported the budget that was introduced this evening includes a .98% increase and that is the lowest increase since 2004. He commended Business Administrator Kevin Heydel for doing a good job putting the budget together and the employees for agreeing to go to State Health Benefits, as that and the 97% tax collection rate really helped with the budget. The collection rate is usually 94%, last year it was 96% so this maybe a sign the economy is turning around because people are paying their taxes. The Mayor noted during the next couple of weeks Council can discuss with him or Kevin any amendments they would like to make to the budget. He also reported formal appointments would be made to the Director of Community Affairs and Director of Community Development at the next Council Meeting. Rosemary Flaherty is currently the Acting Director of Community Development.

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E.) REPORTS AND OTHER MATTERS (cont'd)

Engineer Chris Rehmann reported a grant was received for a phase of the improvement to Corkery Lane. He spoke of issues with the New Jersey Transportation Trust Fund and noted \$250,000.00 was applied for and \$233,000.00 was received. We also applied for \$300,000.00 through the Safe Streets To Transit Program and we were denied that application. Mr. Rehmann noted he applied for this grant for seven towns and received none due to the condition of the Transportation Fund. He added he will be discussing whether Corkery Lane will be paved with the funds we have or done in phases the way Winslow Road was done. He noted we wanted to install sidewalks and curbs on one side of Corkery but there is not enough money to do that since the estimate was \$500,000.00 and we received less than half of that. He noted he is working on the multi-modal master plan, which works through the Delaware Valley Planning Commission. Once this plan is approved it gives opportunities for additional funding because once they see that it is a coordinated effort to make sure the streets are utilized for the expansion of bike paths and other forms of transportation in Monroe township (*bus, car, pedestrian*) they will consider funding from their pot of federal funds. In one township a train station was renovated close to what it had been in the past and that is the type of things that these grants can be utilized for. We are trying to find money anywhere we can to keep us moving forward with our transportation projects. **Cncl. Heffner** noted the \$500,000.00 Mr. Rehmann spoke of included the sidewalks and curbing and we didn't get money for that so what would the cost be just to do the road. **Engineer Kathryn Cornforth** explained budget estimates for the entire project will be put together and given to Kevin. This will include budget options of just doing the road as well as the curb and sidewalks. Mr. Rehmann added we would like to reconstruct the road because once it's done it should be good for thirty years. This road is a major connection between the shopping center and the Black Horse Pike and the residential properties on the south side of the pike. **Cncl. Bryson** questioned if there was money in the sidewalk fund that could be used towards this project and then that could be replenished from the current building going on. **Mayor Teefy** noted there is approximately \$107,000.00 in the sidewalk fund, which would only be enough money to put sidewalks along two or three houses. **Solicitor Fiore** referred to comments made from Mr. Washburn, who represents the Builder's League, regarding the sidewalk fund and noted there has been a challenge in regards to the legality of the sidewalk contribution because the courts have deemed that not to be legal. Mr. Fiore added once the money is utilized from the sidewalk fund it will be finished because then people will be required to put in sidewalks in lieu of contributing to the fund. **Mayor Teefy** noted he really does not want to do half of Corkery Lane and have it look like Winslow Road did for a number of years. He would rather see what funding is available from the township to get it done but once it's done he cautioned we might as well put a police officer on the road all day because everyone will be speeding there. **Chief McKeown** noted a smooth road definitely increases the speed. Mr. Rehmann explained Title 39 sets regulations on how speed limits are set and just because homes are along a road does not necessarily mean the speed limit is 25 miles per hour and if a road is posted that tickets issued for speeding could be revoked. He noted in New Jersey posted speed limits seem to be only suggestions and there are not enough police officers to write tickets to satisfy everyone. On Corkery Lane we could do things that are unconventional such as narrowing the roadway, which creates an illusion of having to slow down. There are also other techniques that can be discussed. **Cncl. Bryson** noted only a portion of Corkery Lane is maintained by the township and he questioned whether there was a possibility that the County would take that portion over. **Cncl. Pres., Miller** felt that could be discussed but the County feels it's difficult to take on additional roads because they are a huge expense. **Mayor Teefy** noted when the County paved Bluebell they were going to stop at Virginia Avenue until the township negotiated with them to complete the paving to Main Street. The township had to pay them but we got the road paved at a much cheaper cost than if we did the work ourselves.

Cncl. Heffner noted he read the engineer's report regarding the Cecil Fire House and noted he was under the impression that the County is done with the changeover and he questioned when they would be taking down the tower and finishing up. **Ms. Cornforth** indicated she would contact them tomorrow to see if that is on their schedule, as she is not sure if the County moves the siren or if their contractor does. **Cncl. Heffner** questioned whether we were still dealing with the fuel tank issue there. **Ms. Cornforth** advised the fuel tank has been disconnected because the existing location was in conflict with the proposed tower. We have been trying to get it relocated next to the building but in our research we have not been able to find the specific rating that will allow us to reconnect the existing tank next to the building. If the

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E.) REPORTS AND OTHER MATTERS (cont'd)

township would like the tank next to the building it will need to be upgraded to a certain rating or it has to be fifty feet away. Cncl. Heffner noted that is something Public Safety will need to look at.

Cncl. Pres., Miller questioned whether the Acting Director of Community Development, Rosemary Flaherty would like to report on anything.

Rosemary Flaherty reported the Redevelopment/Rehabilitation Zone for 1030 North Main Street was supposed to be discussed tonight but that will be heard by the Planning Board on Thursday night.

Cncl. Pres., Miller reported receiving a letter from a person trying to sell twenty acres of land on Jackson Road for \$5,000.00. What the land is zoned is currently being reviewed since it seem the owner is just trying to get rid of it. Cncl. Pres., Miller noted he would forward the letter to Council so it can be discussed during the next Work Session. If this is something that would require maintenance and upkeep then it may be something that Council should not contemplate.

Mayor Teefy reported on April 13th and 14th the ceiling tiles in the Court Room will be replaced. The lights have been repaired and when the ceiling is done the Court Room will look better than it has in eight years.

Cncl. Heffner noted the ceiling tiles around the edges of the room were replaced recently and now there are four that are already shot so is anything going to be done about the moisture issue. Director of Public Works, Mike Calvello explained the roof issues have been taken care of. Cncl. Heffner questioned whether it was the roof leaking or was it condensation from the air conditioner. Cncl. Pres., Miller added he was on the roof of the building and it looks like the water runs onto the building from where it is disbursed from the unit. Mr. Calvello noted we may have to install a PVC pipe to drain the water. He will look into it.

F.) GENERAL PUBLIC DISCUSSION

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

Lee McCullough of Prosser Avenue approached Council regarding a zoning issue that began in 2011 and has continued into 2016. He noted on June 15th he signed zoning complaints for thirty consecutive days to Mr. Weikel regarding Leonard Vidovic defying a judge's court order to remove equipment from his property. Fred Weikel told him that as far as he was concerned the case was closed and filed on a shelf in his office. Mr. McCullough noted he went to Mr. Fiore, the Mayor and Council in June, July, August, September, October and November to take this case back to court to Judge Curio because Leonard Vidovic was in violation of her court order to remove the equipment from the house. It was scheduled for court in December and postponed until February but the case was lost because Mr. Weikel, who was supposed to be subpoenaed did not show up for court and he was the main witness. Judge Curio in her ruling said the township did not prove its case and she noted there was animosity and ill will on Mr. McCullough's part. Mr. McCullough noted he highly resents that because truth is what belongs in a courtroom, not animosity or ill will and he did not at any point exhibit that to Vidovic or anyone in that courtroom. He noted he answered every question asked of him and Judge Curio was perplexed at the time it took for the township to respond to this case. Vidovic had ten business days to come into compliance after Fred Weikel tagged everything on the property, which took about three or four days. After that ten day period Mr. McCullough noted is when he started coming to the Mayor and Council. The Mayor received several letters and one only had five words on it, "who are you listening to?" That was sent because the Mayor was getting bad information from people. Judge Curio didn't understand why the township took six months to handle this or why the authorization granted to the township to tow the equipment was never used. Mr. McCullough noted he does not like to be anyone's scapegoat, as he was not ill prepared, that was Fred Weikel that shoved it to the township by not showing up. Last Friday, April 1st a truck parked on Prosser Avenue at Maria Elana Drive all day. At 7:30 PM two patrol cars arrived

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

and by Saturday morning that truck was moved off Maria Elana and onto Vidovic's residence. Mr. McCullough passed around pictures showing the truck still parked at the residence ten days later and noted according to the judge's court order Vidovic should be charged \$2,000.00 a day, which amounts to \$20,000.00. He questioned when the township is going to do something about that because they were given the authority to tow those vehicles and no one here has the authority to set aside Judge Curio's court order. Prosser Avenue is a residential area, it is not Vidovic's industrial park. He questioned whether this would go on behind the Mayor's house, Mr. Fiore's house or Cncl. Pres., Miller's house for six years. He noted he feels he is on the outside looking in, as people are avoiding him and not returning phone calls. He spoke of trying to view a video of the seventh windshield being broken and how Officer Harris was supposed to make that happen this week. Mr. Fiore questioned whether he was referring to the WAWA video. Mr. McCullough indicated that he was. Mr. Fiore explained months ago Mr. McCullough attended a council meeting and accused a law enforcement agency, either Monroe Township or the Gloucester County Prosecutor's Office, of tampering with the CD. At that time he interceded on behalf of Mr. McCullough and received a copy from Monroe Township at the direction of Audrey Kerwin from the Gloucester Prosecutor's Office. We (*Mr. McCullough and Mr. Fiore*) watched the video for about an hour in his office and he asked Mr. McCullough to demonstrate to him where the video was tampered with. Mr. Fiore noted to his recollection Mr. McCullough said it was not tampered with but now he is here saying something was tampered with. Mr. McCullough noted the night of that video is burned into his head and he knows that he went to the rear bumper to get the tag number and the fact that he got to see his face was a bonus. Mr. Fiore noted that is a different issue that is an evidentiary issue. The allegation that was just reiterated to the Chief was that it was tampered with by Monroe Township. Mr. McCullough replied not by Monroe Township but by Woodbury. Mr. Fiore noted when we watched the video everything was virtually correct. He noted what the judge said was that everyone needs to get along. She looked at Vidovic and said she believed he did something but didn't think it could be proven even though she thought he was motivated to get a rise from Mr. McCullough like he has been doing for the last five years. Mr. Fiore requested Mr. McCullough to think about the remedy that she fashioned. She can't say it on the record but if she ruled in favor of the township or that of Lee McCullough we run the danger that you are empowered by that and if she rules in Mr. Vidovic's favor then he is empowered. What she did find was there had finally been compliance. There may be noncompliance now but on the morning of the hearing Ms. Flaherty testified and there was compliance even though it took five years to get and that is the main goal of zoning enforcement, not to fine people or tow vehicles. The court did give the municipality the ability to tow vehicles but that would have cost the municipality and taxpayers thousands of dollars with probably little or no chance of recouping it. The reason Judge Morgan and Judge Curio did that was to try to give some teeth to it. Mr. Vidovic unfortunately was not the kind of person that would react to a court order like that, he thumbed his nose at it and it sounds like he is doing it now. The method to her madness was to make everybody get along. Mr. Fiore spoke of complaints going back and forth from the County to the township because the County prosecutor would not indict and would send it back to the township. The case was postponed and then we finally convinced the prosecutor's office to indict Mr. Vidovic on a neighborhood dispute even though they probably can't prove their case beyond a reasonable doubt. Mr. Fiore noted Mr. McCullough knows he did it and he (*Mr. Fiore*) believes he did it but that will need to be proven in criminal court and that is still pending. Mr. McCullough spoke of an incident in April 2013 when a couple he didn't know came to his house and tried to get him to hire someone else to break Vidovic's legs. The judge during the criminal trial said on December 18, 2015 that if Vidovic gets arrested for anything he would go to jail and stay there until the trial. About six weeks ago Vidovic had a failure to appear in Monroe Township and Judge Lacavara issued an arrest warrant. Mr. McCullough noted he went to Judge Smith in Superior Court, who is handling the criminal trial, with a letter stating Vidovic has an open arrest warrant so he expected him to honor what he (*the Judge*) had said during his court ruling. He noted he turned this in at the Hunter Street court and the lady there told him that Vidovic was in the Salem County jail. Mr. McCullough called the Salem County jail and found out that it was Vidovic's brother in jail and that he was the same person that had visited him offering to break Vidovic's legs. Mr. McCullough noted six weeks later Vidovic's father was at his front door looking inside the house, ten days later his windshield was broken and three days after that was the attempted arson. He noted when Jeremy Washington was caught everything stopped. Mr. Fiore requested Mr. McCullough focus on what is happening now because if there is a new violation then the Zoning Official can look into that. Mr. McCullough requested Mrs. Flaherty to go through his property

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F.) GENERAL PUBLIC DISCUSSION (cont'd)

to properly see the truck parked on the Vidovic property since it can't be seen from the street. He questioned whether Mr. Vidovic has entered into a rental agreement with the gas station on the Black Horse Pike to keep his machinery there. Mrs. Flaherty noted she has contacted them but the owner is on vacation so we are waiting for his return. If they are in violation they will be removed. Mr. McCullough noted on March 16th Vidovic started parking his trucks at the vacant gas station on the Black Horse Pike (near Canal's) and he felt that might be what is called "squatters rights". He added when time is extended and problems are not dealt with upfront it goes on and on and festers and it is the McCullough's that are paying for this. Vidovic does not have any damage, no broken windshields, or vehicles beaten with sledge hammers or attempts to burn his house down. **Mayor Teefy** questioned if Mr. McCullough has noticed more movement from November 15th until today on all the problems that have been brought up. Mr. McCullough noted yes but it is starting all over again. The Mayor noted Rosemary will look into this complaint to see what is going on and she will cite him, we need to move forward, we do not need to go back through all the history. Mr. McCullough noted he wanted to go through the history in case some members of Council didn't know what is going on because the township has the authority to tow that vehicle. Mr. Fiore disagreed; explaining that case was resolved and dismissed so we would need to get another order from the court to tow that vehicle. Mr. McCullough felt that it was still open but Mr. Fiore noted he was the attorney who litigated that case and in his opinion that was a specific remedy at the time and she found him in compliance therefore he believed the process would have to begin all over again. Mr. McCullough requested Mr. Fiore contact the judge's office tomorrow about this. Mr. Fiore advised she will tell him there is no pending application to file a motion before the court. **Chief McKeown** noted he is not going to show Mr. McCullough the video because he is not going to charge the department's evidence procedures without a court order. He explained we do not routinely draw a video out of the evidence area to show it to one side or the other without it being part of the court procedure. At the Solicitor's direction we could certainly do that or at the direction of the prosecutor. Mr. Fiore noted he did it one time to accommodate Ms. Kerwin of the Prosecutor's Office who had requested that he sit down with Mr. McCullough to view the video. He questioned if that is the same video that Chief McKeown is talking about. The Chief replied yes it is and he will not routinely repeat the same process that he knows has already been done. The request was satisfied once and he will not bring someone back in to see something again and again. Chief McKeown noted there is only one other zoning/neighbor complaint that detectives have been assigned to and that was discussed earlier today. He added so going above and beyond he is still going to stay within the legal process and will not afford Mr. McCullough any opportunity that Mr. Vidovic or anyone else would be afforded. That video is part of the evidence and it will follow the evidence rules. Mr. McCullough noted he had a signed release from the Prosecutor's Office for the video to be seen. Mr. Fiore noted that was for it to be viewed in his presence. What is important is that everything Mr. McCullough recollected from the video is accurate. The reason the Prosecutor's Office asked him (*Mr. Fiore*) to intercede on their behalf was they there was some type of disagreement between them and Mr. McCullough and they believed we had a rapport. Mr. Fiore noted during the Work Session Meeting Mr. McCullough stated that it appeared someone had tampered with the video and that is why the County requested that he view the video with him. Mr. McCullough noted he told five different people that weekend about how he caught the guy. It would have been stupid to run to the window of the vehicle and look at his face when the tag number is the important thing to get. Once he had that then he went to the window and saw his face and that's why he wants to see the video. Mr. Fiore explained it is evidence controlled by law enforcement and that must be respected and the video will show nothing different then we saw before. Mr. McCullough requested Mr. Fiore to check the video because the one he saw was the one from the County. Mr. Fiore explained it is the same video and we can only help with the zoning issue, not with what the County Prosecutor's Office is doing. Mr. McCullough questioned one truck is there now so what is the township going to do about that. **Cncl. Pres., Miller** noted the Zoning Officer is in attendance and she will look into this matter tomorrow. Mr. McCullough noted according to the judge's order Mr. Vidovic should be fined \$20,000.00 because the truck has been on the property for ten days. **Mrs. Flaherty** noted Mr. McCullough submitted pictures but when we went to court the judge stated pictures must be taken by an official or by a dated camera. She indicated she will go out there but based on the judge's comments a violation will start fresh.

