

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MAY 4, 2016**

A.) CALL TO ORDER & ROLL CALL

The Ordinance Committee Meeting of the Township of Monroe was called to order at approximately 7:15 PM by **Ordinance Chairman, Cncl. Bob Heffner** 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. Caligiuri led the assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walt Bryson	Present
Cncl. Frank Caligiuri	Present
Cncl. Marvin Dilks	Present
Cncl. Rich DiLucia	Present
Cncl. Bart McIlvaine	Present
Cncl. Cody Miller	Present
Ord. Chairman, Bob Heffner	Present
Mayor Daniel Teefy	Present
Business Administrator, Kevin Heydel	Present
Solicitor, Charles Fiore	Present
Deputy Clerk, Sharon Wright	Present

B.) APPROVAL OF MINUTES

- Ordinance Committee Meeting - April 6, 2016

Cncl. Dilks made a motion to approve the minutes as submitted for the Ordinance Committee Meeting of April 6, 2016. The motion was seconded by **Cncl. Bryson** and unanimously approved by all members of Council.

C.) PUBLIC PORTION

Cncl. Pres., Miller made a motion to open the Public Portion. The motion was seconded by **Cncl. Dilks** and unanimously approved by all members of Council.

Alan Braslow, of Cherry Hill was in attendance to ask Council to consider adopting an ordinance restricting the sale of dogs coming from puppy mills. Mr. Braslow gave some background information about his certifications and the pet rescue organizations he is involved in. Mr. Braslow noted he is business friendly and doesn't want to put anyone out of business; he

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would just like to see the stores change to a rescue only. He spoke of how people from North and South Jersey protested several times a week until a pet store in Cherry Hill selling puppy mill dogs agreed to sell only rescue dogs. Today that store has rescued and adopted out over 800 dogs that came from twenty-five different rescues in the tri-state area. He noted the Camden County Freeholders adopted Norman's Law by way of resolution and took the position that if the towns adopted ordinances prohibiting the sale of puppy mill dogs and cats they could use the County Health Department to do the enforcement so it would not cost the towns anything. Approximately 137 municipalities across the country have adopted this ordinance but the problem is pet stores selling puppy mill animals are moving into municipalities that do not have ordinances and after investigation none of those stores comply with basic care or disclosure. Mr. Braslow distributed pictures of puppy mills that have been raided, a list of the jurisdictions that ban retail pet sales, an article from Best Friends magazine about municipalities in New Jersey banning puppy mills and a sample ordinance from Cherry Hill that was based upon Chicago's ordinance that was challenged ten times across the country and never overturned. Puppy mills began forty years ago when farmers were looking for a renewable crop they could survive on and now there are 10,000 puppy mills across the country. In areas like Ohio, Missouri and Lancaster there are few regulations but New Jersey is one of the two leading states in preventing the sale of puppy and cat mill animals in the country. Cncl. Bryson questioned if the towns on the list Mr. Braslow distributed all adopted the ordinance presented to Council. Mr. Braslow noted it is very similar but the ordinance has gotten better each time it is adopted. Ours is based on the Chicago ordinance, which is the best. Cncl. Bryson questioned the status of enforcement. Mr. Braslow explained there are 10,000 puppy mills that change their name and move around and there are not enough officials to handle the enforcement. Senators Sweeney and Lesniak have sponsored bills attacking it from two different ways to prevent them on the State level and they told us to keep it going on the local level as well. Their legislation will prevent puppy mill dogs or cats from being sold in New Jersey and existing stores will have 180 days to change, but this legislation will probably cause a legal battle. Cncl. Bryson explained the township and the County inspect pet stores and as a result of that the owners of the stores must have on file a certificate from a veterinarian for each animal they are selling. Cncl. Bryson questioned what happens to all the dogs from puppy mills or to dog breeders because the sample ordinance requires pet stores to sell only rescued dogs. Mr. Braslow noted he has been a resource for specific breeders and breed specific rescues for years and is in the process of setting up a legitimate website for reputable breeders and breed specific rescues, which have been inspected and are known to be good breeders. He also explained veterinarians sign certificates because they work for the puppy mills to make their living and when the health department looks at the paperwork there is nothing in regards to where the dogs came from. Cncl. Bryson suggested that Mr. Braslow start lobbying the federal government to adopt laws that would permanently put puppy mills out of business. Mr. Braslow agreed but noted the challenge is to begin getting it done on the local level because it is harder to get things done in the higher government levels. He noted he is working with the SPCA and the Humane Society to try to get legislation passed and he is always looking for help to do that. He spoke of the Puppy Stop in Turnersville and noted he is trying to convince the owner to convert to rescue only because he has seen the success Cherry Hill is having. Cncl. Heffner polled Council and everyone was in favor of reviewing the sample ordinance.

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C.) PUBLIC PORTION (cont'd)

Stanley Forczek, resident of Canterbury Place, was in attendance to request Chapter 249-1 be placed on a future Ordinance Committee Meeting agenda to discuss allowing portable athletic equipment to be used in cul-de-sacs. Mr. Forczek noted he would even volunteer to write the ordinance. **Mayor Teefy** requested some additional details in regards to where the equipment would be placed. Mr. Forczek explained the basketball nets would be placed right next to the curb (on the street) in the cul-de-sac. **Chief McKeown** advised Title 39 prevents any items from being placed in the street. Placing items physically on the curb would be at the discretion of Council but anything in the street would be considered an obstruction just like the piles of mulch, which citations are issued for. **Solicitor Fiore** added it is also a violation under the Criminal Statute, Title 2C, which prohibits streets from being blocked. Mr. Forczek noted this equipment is portable and will be moved at the end of the day. He added we are not trying to create a disruption we are just trying to give the children the right to play in a cul-de-sac because that is why people buy houses there. Mr. Fiore referred to Title 39:4-56 "Obstructing the Highway" that deals with an obstruction even if it is temporary. He explained from a legal standpoint we are trying to avoid people calling the township to report technical violations of the law so if this ordinance is reviewed we need to look at cul-de-sacs, dead end streets or pass through streets. Mr. Forczek noted the basketball nets are portable and if a car approached the children could move it to the curb within a matter of twenty seconds. He added if the ordinance is written on the curb that is still within the confines of the street because it is within the township property. **Cncl. Bryson** suggested the ordinance be reviewed again to see if something could be done since there is no traffic in cul-de-sacs but he would not agree to it on a straight through road for safety purposes. In regards to Title 39 regulations, trash cans in the street would be a violation so every resident should be notified to put their trash cans on the curb and if they don't then they should be cited. **Cncl. DiLucia** noted the height of most portable basketball nets is adjustable and he questioned if the net was placed on the curb and lowered to ten feet from the street would that help. Mr. Forczek noted after a certain date portable nets were made to be adjustable but not everyone has those and he can't ask residents to spend the extra money to buy one. He added plus we are talking about all portable equipment so if kids want to play hockey they could put nets at each end of the street or if they way to play wiffleball the bases would be in the cul-de-sac. Mr. Forczek felt it would be much better for children to play in their parent's sight then in other areas of the town. **Cncl. DiLucia** questioned how close in proximity and in what condition is the nearest recreation area. Mr. Forczek noted it is within two football fields but parents do not want their children playing there because they would lose sight of them and that area is deteriorated and has not been used in thirty-nine years. When the development was first built there were basketball nets there but the neighborhood children could not play there because they were chased away by outsiders so that's why his children who are in their forties played basketball in the cul-de-sac. **Cncl. McIlvaine** noted Council can make the Title 39 law more restrictive but we cannot make it less restrictive so we do not have the authority to draw up an ordinance giving anyone the right to play or put anything in the street. He noted as a councilman he does not want to be responsible if something happened to a kid playing in the street even if we could change the law. He added as chairman of the Public Safety Committee he would not mind meeting to discuss this if it would help ease the tension in the neighborhood. Mr. Forczek indicated they would appreciate that because they do not want the children violating the law by playing in the street so either a situation is created where there isn't a violation or the

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police will keep going out to tell them not to play there. Cncl. McIlvaine noted he will contact Mr. Forczek when a meeting is scheduled with the Public Safety Committee, Chief McKeown and the Solicitor and then a report will be made to the rest of Council and Mayor.

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

D.) MATTERS FOR DISCUSSION

- Restricting Sale of Dogs and Cats From Pet Shops (Addressed during Public Portion)

- Certified Contractors List for Emergency Construction Work

Zoning Official, Rosemary Flaherty advised she and Construction Official Jim Morrison reviewed a sample Certified Contractors List ordinance and came up with the ordinance being presented this evening. She recommended the ordinance include the number of "six" certified contractors to be utilized on a rotating basis in emergency situations. Cncl. Pres., Miller spoke of discussions that took place regarding a separate contractors list for mowing grass and he questioned whether that is still under discussion or if it is included in this ordinance. Mrs. Flaherty explained the end of the ordinance says grass and landscaping can be included because most contractors have the capability of being able to handle that task. Cncl. DiLucia questioned if it was correct that this ordinance deals mostly with vacant properties owned by banks that pay the property registration fee but does not make repairs. Mrs. Flaherty advised that is correct but it also refers to properties that the police raid, where fires have occurred or any other disasters which have happened during the middle of the night. Cncl. DiLucia felt the township would be better off giving everything to the contractors because then there would be no question regarding charges and that would also prevent an already stressed Public Works Department from additional work. If work needs to be done it should be invoiced as long as someone monitors what is being charged to the bank so we don't get into a legal fight over charges, as the goal is to motivate the banks to get abandoned properties filled and rehabbed and until then we need to maintain properties so they are not a safety hazard. Mrs. Flaherty explained many homes look shabby when boarded up so to prevent that the contractors would need to follow the property maintenance code and use plywood the same color as the house. Pictures of the front, back and side will be taken and inspections will be done by the office that called for the emergency board up when the invoice was submitted to make sure the work was done according to the property maintenance code. Cncl. DiLucia questioned if the township lien becomes a first lien over anyone else so any money laid out could be recouped. Mrs. Flaherty replied that is correct and that is the incentive to get the banks to get these properties filled. Right now they do not want to take the loss because the properties are not worth what they lent money for. Cncl. Heffner questioned if the contractor would bill the town or the bank and if there is an administrative fee. Mrs. Flaherty explained the town would pay the contractor to do the work and any money paid

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would be put into a lien, which the township would get 18% interest on and there is a \$500.00 administrative fee. Any emergency board up would be handled in the same manner and if the property owner does not claim the property eventually the township would own it. Some properties have been vacant for thirty-five years, such as the property across from Antony and Cleopatra's, and that makes the town look blighted. In some areas where people have beautiful homes they can't enjoy their yards because a neighboring house has high grass, rodents and unregistered cars. This ordinance deals with all properties not maintained even those that are occupied. **Director of Public Safety Jim Smart** questioned whether this was coordinated with Emergency Management. **Chief McKeown** advised that this has been discussed and he is all for the board up idea and the contractor list. Mrs. Flaherty advised the departments involved would be Emergency Management, Construction, Community Development, the Mayor, the BA and the fire chiefs. Mrs. Flaherty explained a summons would be issued for an occupied home and we would go before the judge before taking any action. Cncl. Heffner questioned who would be the point person for this. Mrs. Flaherty advised there is a person from each department listed in the ordinance. **Mayor Teefy** questioned if the money for this would come from the abandoned property registration fund. Mr. Heydel replied no, that is revenue. Sixty thousand dollars was appropriated in the Zoning Department and Construction Department budgets and that should be enough money. Mayor Teefy questioned whether that was being funded by the registration fees. Mr. Heydel explained technically we have revenue and appropriations so it does offset it. Mayor Teefy noted if a home involved in a fire is boarded up that money should not come out of the registration fee that should go through the person's homeowner's insurance. Mr. Heydel advised it would go through the Zoning Department's budget and then we would file a claim against the insurance company to be reimbursed. Cncl. Heffner polled Council and all were in favor of moving the ordinance for a Certified Contractors List forward for First Reading at the May 23rd Regular Council Meeting.

- **Stirling Glen - Age Restriction**

Solicitor Fiore noted the Planning Board sent a recommendation to amend our ordinance to allow 55 or over communities to sell 20% of their homes to people 48 years old or older. Mr. Fiore noted he spoke to Mr. Hovnanian about this, reviewed the Planning Board's recommendation and feels Council can change the ordinance as long as all the prospective purchasers are made aware of this change. **Cncl. Caligiuri** questioned if this could be done by variance instead of by changing the ordinance. Mr. Fiore felt that it could be done by variance on a case by case basis. He added if it is done by variance the board must ask for some type of criteria because a variance is asking the board to deviate from the law and there must be a legitimate reason why. **Cncl. Bryson** noted he is concerned that this might be setting a precedent and because they might have already sold properties to people who are assuming the community will be 55 and over. Another issue is the zoning restrictions in other 55 and over communities might have to be relaxed as well. He felt that if it was originally applied for as a 55 community it should stay 55 and no exceptions should be made. **Cncl. Caligiuri** suggested that a memo be sent to the Planning Board so this issue could be discussed with their solicitor. **Cncl. DiLucia** noted he is opposed to this because 55 and over developments were initially put in to benefit municipalities

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since children are not permitted. In Holiday City there are 650 homes with 1,000 people that have no children but pay taxes to the school board. He explained he is afraid if the age is lowered to 48 age restricted developments would no longer supplement the tax burden on the municipalities because a 48 year old person could have a 38 year old spouse and they could have children. Reducing the age is great for the developer because the housing market has been bad but the market seems to be coming back as homes in Holiday City have been selling. He felt issues affecting home sales in 55 communities are the homes are overpriced and the maintenance fees are too high. The Holiday City Association fee that covers weekly grass cutting, sprinkler systems, the clubhouse, pool, etc. is \$45.00 a month because the people in the community work twelve months a year raising money to keep those costs down. In some of the new 55 communities the homes are \$250,000.00 and then the maintenance fee is \$150.00 a month. This developer wants us to accommodate him so he can make a profit but if he can't sell those houses maybe he should rethink his development plan and change it to single family dwellings with children and they will be taxed at a rate that will support them. **Mayor Teefy** explained people buying in the 48 and over community would sign the agreement that they do not have school age children and if they would have another child they have a year to move from the development. **Cncl. Pres. Miller** added in some cases older children are moving back in with their parents to take care of them. **Cncl. Heffner** noted he is against this because when the developer put this development together he knew there was a market for 55 and over so if homes are not selling maybe they should change their way of doing business. **Cncl. Caligiuri** noted they did a demographic study and found this would open the market for them and he is fine with that but didn't see a need to change the ordinance when this could be done at the discretion of the Planning Board by way of variance. **Cncl. Pres., Miller** questioned whether the Planning Board knows they have the ability to do this by variance. Solicitor Fiore explained the Planning Board granted the original subdivision approvals so the question will be whether a use variance would go before the Planning Board or does it go to the Zoning Board. Mrs. Flaherty felt a use variance would go before the Zoning Board and **Cncl. Caligiuri** felt it would stay with the Planning Board because in this particular case it would be the submittal of the entire subdivision along with a request for a use variance. Mrs. Flaherty explained the initial application would be the use variance which would go before the Zoning Board and it would remain with that board. **Cncl. Heffner** noted the lots are smaller in 55 and over communities and if we say 20% of those homes are going to be 48 year olds then they should have gone to the Planning Board to build a housing development. Mr. Fiore noted originally Stirling Glen was approved for age restricted housing and it was changed when the State adopted the Conversion Act, which allowed developers to build single family homes in previously approved age restricted facilities without changing the lot size. Now, K. Hovnanian wants it changed back to age restricted. Originally this project was in the PB Zone and they got a use variance and now there is an issue with the basin that will be going back to the Zoning Board. **Cncl. Heffner** polled Council and **Cncl. DiLucia, Bryson and McIlvaine** were against it. Mayor Teefy's opinion was the development would be the same as a 55 and over community but by lowering the age the market would open up to people without children that will support businesses and pay taxes. He added if this is not done this development may not move forward for years and that does not benefit the township, as no revenue will be coming in. **Cncl. Caligiuri** felt a letter should be sent to the Planning Board advising them that there is another legal way to handle this without an ordinance change. Mayor Teefy felt that by granting

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a use variance to change the age to 48 would also be setting a precedent. Cncl. Pres., Miller was in favor of moving the ordinance change forward. Cncl. Dilks and Cncl. Heffner were not in favor of changing the ordinance. Cncl. Heffner noted the ordinance would not be changed and no letter would be sent to the Planning Board.

E.) ORDINANCES FOR REVIEW

- **Capital Bond Ordinance**

Business Administrator Kevin Heydel explained a meeting was held with the Public Safety Committee and the chiefs of each of the volunteer organizations. All departments submitted their capital requests and those requests have been reviewed and prioritized. Normally a maximum of \$2,000,000.00 is budgeted for capital and the 5% required (\$100,000.00) as a down payment is included in the budget. After prioritizing the items the amount came out to \$2,444,000.00 for the year which is above and beyond the \$2,000,000.00 and the \$100,000.00 we have for a down payment. The first item on the list is the demolition of the old library but that bond ordinance was already done from capital money left over last year that covered the 5% down payment. In the prioritization process, the first round came down to \$2,135,000.00, which amounts to a \$98,000.00 down payment. Bond Counsel is in the process of preparing the bond ordinance for those items. The second round the Committee looked at were items in the amount of \$309,000.00 and we would like to do that bond in November when we have the opportunity to transfer funds for the \$15,000.00 down payment. **Cncl. Heffner** noted he thought the Parks and Rec dump truck and a couple others things were moved to the November bond but he did not see them in the list. Mr. Heydel advised that truck along with the vehicles for the ambulance people were absolutely denied during the meeting but he could put them back if Council wanted them included. **Cncl. Bryson** questioned whether the request for an ambulance was put out further. Mr. Heydel explained the committee looked at the timing of this and adjusted accordingly but these are all projections that can be changed every year based on priorities. These are projections to give the public an idea of what expenses are needed to operate down the line. **Cncl. DiLucia** questioned if the amount of \$575,000.00 is what the architect is proposing for the Williamstown Fire Station. Mr. Heydel replied no, we agreed last year to appropriate \$75,000.00 in the 2015 and 2016 budgets, which amounts to \$150,000.00. The cost for the architect's analysis is \$8,000.00 and once he gives us a price the construction costs will be included in next year's budget. This is just a projection, we have no idea of the total cost but the project will be done in three phases. **Cncl. Bryson** questioned whether we could get any more grants from the County for radios. Mr. Heydel advised they paid for most of the radios so we will not be getting any more money from them. **Cncl. McIlvaine** questioned whether there was any way we could get the dump truck for Jim Bonder this year even if it was in November. Mr. Heydel advised it could easily be done in November or if Council wanted items moved from the current ordinance to the November one it could be purchased now. **Cncl. Heffner** replied no, when he spoke to Jim he told him it would be in November not now. Mr. Heydel explained he may have another mechanism to get it because he budgeted \$25,000.00 for a Construction Department vehicle and he may be able to use some of those funds but would need additional funds from an operational

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E.) ORDINANCES FOR REVIEW (cont'd)

budget such as the Parks and Rec trust to get the balance of the money. Cncl. McIlvaine noted he did not have the opportunity to speak to the Director of Public Works to see if he has a vehicle to pass down so if something could be done to get Mr. Bonder a vehicle it would be appreciated since he has nothing right now. Mayor Teefy noted \$15,000.00 has been included in the budget to purchase five radar units and the plan is to purchase more each year to equip each car due to the speeding issues in town. Chief McKeown noted when he started his career twenty-five years ago each car had functional radar equipment but they have since become nonoperational and unfortunately the new models are much more expensive, which is why units are purchased as we get funding. Mr. Heydel noted the cost of maintaining the business and services that we provide is phenomenal. The radios are \$3,200.00 for one radio and we needed hundreds. Mobile terminals are \$2,000.00 each and to outfit a police car the cost is \$40,000.00. We maintain our police cars and get ten years out of them while other municipalities only get five. The cost of a trash truck is \$275,000.00 to \$290,000.00 so it cost a lot of money to provide services. Cncl. Heffner questioned whether Cncl. Pres., Miller would have something for the needs assessment by the next meeting. Cncl. Pres., Miller advised he would. He noted he sent Kevin the study done by Evesham but a request was made to include ambulance services as well so he needs to find out if Evesham did an RFQ/RFP so he could use their language, as that would be easier than recreating the wheel. Cncl. Heffner noted we do not want to overlap by spending more than we should so we are not purchasing any more emergency vehicles, with the exception of the Cecil tanker, until we get that study. Cncl. Heffner requested Cncl. Miller to send a copy of the study to all members of Council. Cncl. Bryson questioned whether the proposed six year capital went up or down. Mr. Heydel explained it went up a lot from last year's forecast because a new fire house is being built in Cecil and the cost for Williamstown Fire has also been added. Everything else has been adjusted and some equipment such as the Lucas Automated CPR machines for the ambulance services have been added. Those devices were added because they maintain the consistency of the motion, are very effective and reduce the risk of worker's comp claims from employees who perform CPR. A tower in attendance questioned whether the police car radios are installed by the township or the company they are purchased from. Chief McKeown noted the County has a contract with Wireless Communications to install the Motorola radios. The tower noted he gets a lot of late model police cars and SUVs that have radios, lights and other equipment, which the insurance adjusters do not remove because they say when cars are totaled police departments get new cars with updated equipment. He noted if the township would need any parts or replacements he may have what is needed. Cncl. Heffner polled Council and all were in favor of moving the Bond Ordinance forward for First Reading at the May 9th Regular Council Meeting.

- **Towing Ordinance**

The towers in attendance pointed out various sections in the draft Towing Ordinance they felt were not changed as discussed during meetings with the Public Safety Committee. The issues discussed included the definition of a light-duty flatbed, the gross weight of trucks, storage areas, and types/materials of fencing that would be utilized. When some towers complained about the fencing requirements Cncl. McIlvaine, **Public Safety Committee Chairman**, noted during the Public Safety Committee Meetings all these issues were discussed and were supposed to be

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resolved so if the towers don't want to comply with these requirements they don't have to tow. Council was very receptive to all the changes the towers asked for and this is the cost of doing business just like it was when the township had to purchase costly radios when the County went to the 700 Band. The township was forced to do that but towers are not being forced to tow. Mr. Weist of Lake Avenue Auto Body noted the radios the township purchased were purchased with his money (*taxpayers*) and this ordinance was requiring him to spend additional money in hard times. He also noted the towers didn't request any changes to the Towing Ordinance; they were happy with the original ordinance. Cncl. McIlvaine noted he didn't know who requested the changes but he made sure that the towers were involved in any that were being made. Further discussion took place regarding secured storage areas for police towed vehicles, the number of towers included in the towing rotation and release of towed vehicles on weekends. Cncl. McIlvaine noted this discussion is wasting everyone's time because all these issues were previously discussed during the committee meetings. He spoke of making a report to the rest of Council that this ordinance was ready to move forward and noted he would schedule one more Public Safety Committee Meeting to meet with the towers to resolve some of these issues but he will not rehash this entire ordinance. Cncl. Heffner noted discussion on this issue will be closed this evening and Cncl. McIlvaine will schedule one more meeting to address the towers concerns. We will not go through this ordinance page by page again because every time we do we find something else wrong with it. He requested the towers write down their specific questions they want addressed at the Public Safety Committee Meeting because next month when this ordinance is discussed at the Ordinance Committee Meeting there will be no questions about it.

F.) NEW BUSINESS

Cncl. Bryson questioned if Council wanted to consider the ordinance presented this evening regarding pet stores. Solicitor Fiore noted Federal and State legislation requires pet stores to sell dogs that come from registered breeders but this ordinance states dogs sold must come from shelters or rescues and that would prevent stores from selling dogs from a licensed breeder. Cncl. DiLucia noted the only pet store selling dogs in town is in the Farmer's Market and as far as he knows they are a reputable dealer. He suggested no action be taken on this until we have a problem. Cncl. Pres., Miller spoke of other municipalities as well as Camden County adopting this ordinance and he felt pet stores will move to municipalities that do not have the ordinance. Solicitor Fiore cautioned Council to be careful with this because laws are becoming reactionary such as the tethering ordinance, which would be almost impossible to enforce due to Animal Control being spread so thin throughout the County. He added he thinks these ordinances are good things but they must be written right not like the one in Glassboro, which is horrible. Cncl. DiLucia noted every time legal language is written a potential for really big problems is created. He added he doesn't like puppy mills but we don't have a problem with them in this township because we control what businesses come here. Mayor Teefy noted his daughter is licensed with the state to breed Australian Labradors out of her home and he questioned whether this ordinance would restrict her from doing that. Solicitor Fiore advised the Glassboro ordinance would prevent that. Mayor Teefy suggested Council review the Camden County ordinance, which is different than Glassboro's. Solicitor Fiore noted he purchased two puppies from the Amish Market and one died six months later but the Amish Market replaced it

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F.) NEW BUSINESS (cont'd)

and they were not required to do that according to the law. Cncl. DiLucia noted New Jersey is better than most States in terms of protecting the consumer not like down south where the puppy mills really thrive. At the conclusion of this discussion no action was taken by Council.

Cncl. Heffner noted Cncl. Dilks requested an ordinance to operate a crane be considered since cranes are utilized in the township for the installation of modular homes. He explained an issue dealing with cranes came about from an accident in New York City when a crane was operated by an unlicensed person. Cncl. Dilks explained cranes must be inspected annually and operators must pass a rigorous test and be certified yearly. An ordinance requiring a permit to operate a crane would benefit the town because we would know where cranes were operating and there would be a permit fee of \$100.00 that would be additional revenue for the town. Cncl. Caligiuri noted he thought cranes and the transportation companies all had to be certified. Cncl. Dilks noted that is correct but there are fly-by-niters that don't abide by those regulations. Cncl. DiLucia felt the mobile home parks will protest this because it will add additional cost on to their homes. Chief McKeown spoke of an incident on Malaga Road when an overweight crane without permits slid off the highway and rolled off the roadway closing that road for half a day. He noted he would like to think everyone follows the State permitting but they don't or else that crane would have had the proper permits and gone a different way. This ordinance would let us know when they are working in our town and that they are legitimate. Director of Public Safety, Jim Smart noted on the road the police department would enforce regulations but who is going to go into the mobile home park to enforce the registration requirements. Cncl. Heffner noted it would be the guys inspecting the buildings. Director Smart noted there should be some mechanism within the ordinance to notify the Police Department when a permit is issued so our police are not stopping legitimate cranes. He spoke of the Mr. Softee truck and noted it is a pet peeve of his that there is no sticker on that truck showing his township license information. Cncl. Heffner commented that Mr. Softee has not purchased a license in six years. Director Smart then requested Chief McKeown to direct his officers to stop the Mr. Softee truck and advise them to apply for a license through the Zoning Office. Mr. Fiore will prepare a draft ordinance regarding the operation of cranes for the review at the June Ordinance Committee Meeting.

Cncl. Heffner noted the issue he has with the portable basketball nets is that they are illegal to begin with but every time our trash truck or snow plow hits one we end up replacing it or paying for it so there should be language in the ordinance that we are not responsible for them. Director Smart commented that Bob Avis talked to him many times about that problem. Cncl. Heffner added even if they are placed on the curb they are hanging over the street where trucks can hit them.

Solicitor Fiore advised first reading of the Land Sale Ordinance will be held at the May 9th Regular Council Meeting and the land sale will be held June 23rd. Cncl. Heffner recommended holding off on selling the two lots on Sunset and Linden since the bank is trying to sell us the lot next to them for a dollar. Currently none of the lots are buildable but if all three are put together it would become a sellable lot valued at more than the \$200.00 currently being requested. Solicitor Fiore noted those lots could be pulled from the list the day of the sale.

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F.) NEW BUSINESS (cont'd)

Cncl. McIlvaine noted he knows we can't charge to inspect apartments but he would still like inspections to be done. **Cncl. Heffner** added what is the employee doing that previously was inspecting twelve or fifteen hundred apartments every year. **Cncl. Pres., Miller** noted right now no inspections are done unless there is a change in occupancy. **Mayor Teefy** noted the employee is handling other inspections but he will look into this matter as he also felt yearly apartment inspections should be done. **Mr. Fiore** agreed but added at least at a minimum every two years if it can't be done every year. **Cncl. McIlvaine** spoke of issues at Geet's Diner that have been ongoing for over a year and he felt violations and fines should have been issued. **Cncl. Pres., Miller** noted they have been cited. **Mayor Teefy** noted he spoke to Jim Morrison about this and they are going to court on May 17th. **Mr. Fiore** added twice the owner has not shown up for court and the next time a bench warrant will be issued for him. **Mayor Teefy** advised if he doesn't show on May 17th he will tell Jim Morrison to shut down the diner. Council questioned whether the building was safe. **Mr. Fiore** advised the problem is with the outside of the building. They did get a permit and it is braced properly until repairs are made. **Mayor Teefy** noted the safety issue is people walking through the parking area to get into the diner since they can't walk on the sidewalk.

Cncl. McIlvaine also spoke of a person being charged an \$850.00 fee to open a kennel on Corkery Lane and he questioned what that fee was for. **Mayor Teefy** explained that is the site plan waiver fee, which is required when businesses turn over because some properties may need improvements. He suggested reviewing that ordinance because some properties do not need improvements when new businesses open. **Cncl. Heffner** noted a request to change that fee should be coming from the offices dealing with it. **Mayor Teefy** noted this issue will be discussed at his Friday meeting so that request will be coming. **Solicitor Fiore** explained the problem is years ago there was probably never a defined plan for the number of parking spaces or where the dumpsters were placed or fencing so the idea of the site plan is to have the new business put on paper what they are doing. He noted in Washington Township if a property goes from one type of restaurant to another they must go in for a full blown site plan and that is ridiculous. The whole idea is even though it is going from a commercial use to another commercial use the requirements of that particular use may change so it could go from a dry cleaner to a kennel or an ice cream store to a nail store. The site plan puts on paper what will be put there so everyone is following the law. With a site plan people go before the Board, the planner reviews it and resolutions are being done to codify it so that's what the money is used for. **Cncl. McIlvaine** noted when he subdivided his property he had to put \$30,000.00 in escrow and they burned through \$2,500.00 of that because they said the lines on the drawing were not straight and he does not want that happening to other people for the sake of making money.

G.) OLD BUSINESS

Cncl. Pres., Miller questioned the status of the anti-tethering ordinance. **Cncl. Bryson** advised that ordinance also included leaving animals outside in extreme weather conditions and the Board of Health didn't move it forward because it would be difficult to enforce. **Cncl. McIlvaine** noted if we do nothing the Police Department has no means of acting when a complaint is received. As a police officer he went to homes where the people had moved and actually left

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G.) OLD BUSINESS (cont'd)

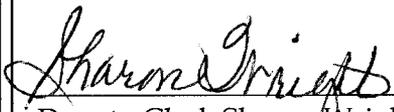
an animal in the house and as a police officer he could do nothing for that animal for forty-eight hours. Cncl. Heffner expressed concern that this ordinance would put him in violation because he does not chain his dog and if he is outside in twenty or ninety-five degree weather his dog will be right with him. Cncl. Pres., Miller disagreed, noting this ordinance deals with animals left out for eight hours by itself. Solicitor Fiore indicated he spoke to County Counsel, Matt Lyons who advised the County would not be doing a countywide ordinance but Council could adopt one. Cncl. Heffner polled Council and a recommendation was made that this matter be addressed after the towing ordinance is completed.

Cncl. McIlvaine noted he had requested Mark Burton to look into one side of the street parking on Library Street and he asked Chief McKeown to check with him on that. Cncl. DiLucia spoke of discussions that took place about this a couple of years ago and the decision made at that time was not to prohibit parking on one side of the street and the minutes of that meeting will reflect that. Cncl. McIlvaine expressed concern that if there is a fire on that street the firemen will never be able to set up the ladder truck plus snowplows can't plow snow. Discussion ensued regarding how no one utilizes the parking lot on that street and Chief McKeown noted that was brought up at the Main Street Committee Meeting because the people in that area don't feel safe parking there due to the wall surrounding the lot. Cncl. Pres., Miller added people coming for shows at the Grand Theater don't know there is public parking at the Pfeiffer Center or behind Newfield National Bank so there is also a signage issue to resolve. Cncl. McIlvaine noted the wall should be looked into because that may not be legal. Chief McKeown indicated he would check with Sgt. Burton regarding his report on this matter.

H.) ADJOURNMENT

With nothing further to discuss Cncl. Pres., Miller made a motion to adjourn the Ordinance Committee Meeting of May 4, 2016. The motion was seconded by Cncl. Caligiuri and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Deputy Clerk Sharon Wright, RMC


Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of May 4, 2016 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 SW Date 6/1/16
Approved as corrected _____ Date _____