

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**A.) OPENING CEREMONIES & ROLL CALL**

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President, Bart McIlvaine** at approximately 7:00 PM in the Conference Room on the first floor of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

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

**SALUTE TO OUR FLAG** – **Cncl. Miller** led the Assembly in the Salute to Our Flag.

**ROLL CALL OF PUBLIC OFFICIALS**

Cncl. Marvin Dilks	Present	
Cncl. Rich DiLucia	Present	
Cncl. Ronald Garbowski		Excused
Cncl. Bob Heffner	Present	
Cncl. Joe Marino	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Bart McIlvaine	Present	
Mayor, Daniel P. Teefy		Excused
Business Admin., Kevin Heydel	Present	
Solicitor, Charles Fiore	Present	
Eng., Kathryn Cornforth, ARH	Present	
Dir. of Finance, Karyn Paccione		Excused
Dir. of Public Safety, Jim Smart	Present	(Arrived 7:03 PM)
Dir. of Public Works, Mike Calvello	Present	
Dir. of Comm. Dev/Code Enf, Rosemary Flaherty	Present	
Dir. of Parks & Rec, Jim Bonder	Present	(Arrived 7:07PM)
Deputy Mayor, Andy Potopchuk	Present	
Chief of Police, John McKeown	Present	
Twp. Clerk, Susan McCormick	Present	

**B.) MATTERS FOR DISCUSSION**

- **Best Practices – Authority Assessment**

**Business Administrator, Kevin Heydel** explained the Best Practices Survey requires the township to review the Monroe Township Municipal Utilities Authority to ensure the operation is viable to keep as a separate unit. He requested information from the MMUA and was directed to their website. The MMUA is watching their finances and reducing their head count by consolidating the Collection Department but other than that he is not in the position to discuss whether or not the MMUA is financially viable. He

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**B.) MATTERS FOR DISCUSSION (cont'd)**

indicated he would assume so but he does not have the data available or the background to make a determination on whether the operation is viable as a separate entity and that is what the Council needs to discuss in order to answer the Best Practices Survey. Mr. Heydel read into the record the following question posed by the Best Practices Survey:

*"Many municipalities have created one or more authorities, including fire districts, utility authorities, redevelopment authorities, housing authorities, port authorities, etc. to provide greater focus and attention on addressing a public need or to reduce governing body burdens. While creation of an authority is often appropriate and many authorities fulfill their mission authorities with weak membership or insufficient local monitoring can become wasteful, inefficient and unresponsive to the public they serve. N.J.S.A. 48:5-20 allows a local governing body to dissolve an authority subject to certain parameters and with the Local Finance Board approval. A municipality should at least annually assess the authority or authorities they created and publically discuss their findings and conclusions. Findings and conclusions should address whether their existing authorities continue to serve the public interest and are more efficient than other potential alternatives in providing services and financing public facilities. Within the past year has the above referenced discussion appeared as a listed agenda item on a scheduled governing body meeting and does the findings and conclusions appear in publically available meeting minutes?"*

**Solicitor Fiore** suggested the MMUA attend the next Work Session Meeting. **Cncl. DiLucia** asked if this was a question on last year's Best Practices Survey. Mr. Heydel advised it was. **Cncl. DiLucia** noted the MMUA brought in \$800,000.00 in revenue last year but this year there will be less revenue because there was more rain and people didn't use their sprinkler systems as much. Mr. Heydel went on to say during the meetings he has attended with Council and through the meetings from last year he feels the way the MMUA is set up makes it viable as there is a dedicated control over the operations and they are clearly responsive to the needs of our residents. Over the past year we have gotten good feedback from residents regarding the MMUA's response, they are maintaining their equipment and financially they are taking steps to reduce employee headcount. He noted he looks at the MMUA as viable but he is not the decision maker and Council may want to discuss this more in-depth. **Cncl. DiLucia** (*liaison to the MMUA*) noted the MMUA serves the public interest, receives very few complaints, if any, is taking action to eliminate supervisors and at the next meeting will act upon another dollar reduction, which is not yet on the agenda for public distribution. Mr. Heydel noted he went through their audit/financial reports and it is clear they are financially viable as there are no outstanding items or compliance issues being reported in the audit. **Cncl. Miller** questioned whether a committee should be established to meet with them and the liaison to come up with their findings. Mr. Heydel felt a committee would not be necessary as long as Council feels the MMUA is viable and the best option for the residents. **Cncl. Miller** noted for "*the public record*" he feels the MMUA has made improvements to keep costs low and is a viable organization that should remain independent of the township. **Cncl. Marino, DiLucia, Dilks and McIlvaine** agreed. **Cncl. Heffner** commented he would agree even though he didn't see anything from the MMUA. The Township Clerk noted "*for the record*" this discussion must be included in the minutes.

MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017

**B.) MATTERS FOR DISCUSSION (cont'd)**

• **Sahara Sands – Well Sampling Data**

**Engineer Kathryn Cornforth** explained at the end of June when Council considered Sahara Sands Mining Permit renewal the site was cleared on Jackson Road but they had not installed the monitoring wells. We made note of that in our review of their applications and Council denied the permit until the monitoring wells were installed. Since that time Sahara Sands installed all three monitoring wells and did one round of testing. The test results were provided to ARH and we are asking the permit be reconsidered. Our only item of note is that the test done only provides background data, which gives a base line that will be utilized to compare to tests done during mining operations to ensure groundwater is not negatively being impacted. Per ordinance six months from the original test they must do a second round of testing and they cannot begin mining until that is done. Mrs. Cornforth noted it is Council's decision whether or not a resolution to approve the permit is placed on the next meeting agenda. **Cncl. Pres., McIlvaine** noted his only concern is making sure the monitoring wells were installed. **Cncl. Marino** expressed concern that the wet chemistry on the reports look like the numbers were high in the initial wells and he questioned whether that is going to be an issue. Mrs. Cornforth noted reviewing the environmental side of this is not her forte but she felt six months from now when the test is done again and if result is the same as the background and nothing is negatively impacted it should be okay, as it is not fluctuating. **Cncl. Marino** requested the environmental people at ARH review this. Mrs. Cornforth explained they will review it but this test strictly establishes the background data and as they actually start mining and subsequent testing is done it will be compared to the background to see if there is a negative impact. **Cncl. Heffner** clarified that they cannot mine until we get the results of the subsequent tests after six months. Mrs. Cornforth noted that is correct. **Cncl. Dilks** questioned the process once they begin mining. Mrs. Cornforth explained once they begin mining there is a yearly reporting requirement that is submitted to the Clerk and if something were to register in the test they would get a stop mining notice, which she assumed would come from the township. **Sean Earlen** of Sahara Sands explained all three monitoring wells were installed and the background data was done. The numbers on that data were high on solids, which is the natural characteristic for ground water. Another sample will be taken in six months just to establish additional background data, as they do not plan on starting mining within the next eighteen months. The idea is to shift the Coles Mill Road sandpit to Jackson Road when that one is done but there is still more time on that one. No chemicals, oils or fuels are introduced into the mining process it is all done with an electric dredge that sucks sand and water out of the ground, processing it and returning the water back into the lake. Mr. Earlen explained testing on the site is on solids, nitrates and basic iron. This will be our third mining site in Monroe and the testing done is the same that was done on the closed site as well as the current site and there has never been anything that fluctuates. **Deputy Mayor Potopchuk** asked when the sand mine on Malaga Road is closed will it be left open like the one on Piney Hollow Road where a person drowned or will it be fenced in. Mr. Earlen advised the properties are usually sold as a Green Acres property. Mr. Potopchuk expressed concern that there will also be issues when the Malaga Road site is closed. **Cncl. Pres., McIlvaine** commented that site is in Franklin

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**B.) MATTERS FOR DISCUSSION (cont'd)**

Township so Council would have no say over it. He added even though the State owns the one on Jackson Road the Police Department is bearing the burden of trespassing, people drowning and vehicles getting stuck so could something be done to alleviate those problems. Mr. Earlen explained we have tried berms, knocking trees down, concrete barriers but when someone wants to get in a 300 acre property they are going to unfortunately get in. We could fence it but then someone needs to get in to cut it so he felt it is just a matter of policing and prosecuting to the fullest extent of the law. Deputy Mayor Potopchuk suggested before the permit is approved maybe this issue can be resolved to make it easier on the police officers who are down there all the time chasing four wheelers. **Solicitor Fiore** explained Sahara Sands came in for preliminary and final site plan approval and that was not a condition of the approval. According to our Code we cannot at this point in time require them to do that. They are required to file a reclamation plan and that is reviewed by the township engineer and NJDEP. Cncl. Pres., McIlvaine noted his only concern was that the monitoring wells were installed and now that has been done. He questioned whether any member of Council had a problem with drafting the resolution for the next Council Meeting. All members of Council were in favor of preparing the resolution. Solicitor Fiore noted (*for the record*) he was forwarded a question in regards to whether or not a new application should be submitted but a letter has been sent to the clerk stating nothing has changed on the application so he felt they would not need to submit an entirely new application as long as Council was okay with it. Council members were in agreement.

- **Block 1703, Lot 6 – Amish Market Storage Sheds**

**Solicitor Fiore** explained the owner of the Marsha Avenue property located across the street from the Amish Market and behind the apartment complex and cleaners applied for a use variance to sell storage sheds on that site. As a condition of that approval they are required to go back to the Zoning Board for site plan approval as well as seek approval from Council to establish a crosswalk along Marsha Avenue. The Chief of Police has advised establishing that crosswalk falls under the jurisdiction of the Police Department, which will, along with the township engineer review the Uniform Traffic Safety Standards Manual that sets forth criteria to determine the best location for a crosswalk based upon volume and speed of traffic. Council cannot approve the crosswalk until the Police Department and township engineer determine the best site for it. **Cncl. Pres., McIlvaine** questioned whether this would hold them up. Mr. Fiore noted they are claiming it is. Mrs. Flaherty felt Council could approve moving it forward and work with the Chief on the plan they are presenting. Cncl. Pres., McIlvaine preferred to wait until he knew where it would be located. Mr. Fiore noted he had an extensive discussion with the Chief on this and there are a host of issues that need to be addressed. Right now there is no directed ingress or egress to the Amish Market so from a safety standpoint one area may require bollards and curbing. Council can conceptually say "*as long as it falls within the standards they could approve it*" but he felt that was putting the cart before the horse. He suggested the Chief/Captain work with Mrs. Flaherty to come up with a plan that will adhere to the standards of the manual so there will be no liability to the municipality. We would not be immune from liability if someone would be injured from a crosswalk located in

MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017

**B.) MATTERS FOR DISCUSSION (cont'd)**

an area that was not according to standards. **Cncl. Dilks** questioned the speed limit of Marsha Avenue. **Chief McKeown** advised it is 25 miles per hour. He went on to say one of his concerns is that crosswalks are normally located at intersections and in this case that would be at the pike or further down the road where the sheds are currently located. Most people would probably cross closer to the main entrance of the building but nothing is there that would direct vehicles from driving over the waiting area so some improvements such as channelization or raised curbing on the Amish Market lot needs to be made. **Township Engineer, Kathryn Cornforth** echoed everyone's sentiments noting her biggest concern is the parking lot has no defined pedestrian area for people to know where to walk. If there is a mid-walk crosswalk there will need to be advanced notification and striping to let people know they are coming up to the crosswalk and there will need to be delineation on either side of the road to be in accordance with ADA requirements. She noted in the opinion of ARH there is just not enough information for Council to consider this right now. **Cncl. McIlvaine** didn't want this matter dragged out and requested a decision be made on this one way or the other as this has been on hold for some time.

• **Owens Park Tennis Courts**

**Mrs. Cornforth** explained Jim Bonder received a quote from a Pennsylvania company to repair two tennis courts at Owens Park that are currently closed due to safety concerns but the quote was over the bid threshold. ARH reviewed it and met at the site with a separate contractor who repairs athletic courts to ensure everything was being specified correctly. The project went out to bid, four people picked up plans but unfortunately only one bid was received and that was well over budget. Our estimate for the project was around \$76,000.00 and the bid came in at just under \$112,000.00. It is now up to Council to decide whether there is additional money for the project or if the bid will be rejected. **Cncl. Marino** questioned whether the tennis courts were actually 14,000 square feet. **Jim Bonder** explained the courts themselves are 2,300 square feet and including the surface around them our estimate is 10,000 square feet. **Mrs. Cornforth** noted we ended up going a little bit more as the crack repairs are at a lineal foot and that builds a little extra cost to the job. If you want to rebid the project we can pull the numbers down a little but that will mean there will be less cushion in the budget if something were to happen during construction. **Cncl. Marino** noted he would like to see it go out for bid again and maybe Jim could contact some companies directly if there are plans on this project. He questioned if this is a mill and overlay or an attack and overlay. **Mrs. Cornforth** explained it is repairing all the cracks, leveling course and then an attack and overlay. **Cncl. Pres., McIlvaine** noted it is a shame the courts are closed but we need to watch our pennies to get the best bang for our buck and if that means we have to reach out and ask contractors to bid on the job then we need to do that. He recommended the bid be rejected and rebid. **Mrs. Cornforth** noted one thing recommended in the quote Jim got was a different method of sealing cracks and that was something we thought would be a better repair method that would last longer than ten years. **Jim Bonder** noted the cracks have gotten worse since the courts were closed so they need to stay closed. People are being directed to the tennis courts at the middle school and high school but the problem is they like coming to Owens at night. He noted he would like to get involved in this process because the original quote he received was around \$57,000.00 so there is a big disparity between that and \$115,000.00.

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**B.) MATTERS FOR DISCUSSION (cont'd)**

He added repairs cannot be made during the winter so he would like to get this project on target for next spring. **Cncl. Dilks** questioned whether the courts should be reconstructed rather than repaired by milling all the asphalt out, repaving the base, leveling, etc. **Mrs. Cornforth** agreed that could be done but she felt it would be more expensive than the current bid so Council would need to decide if they want to spend that kind of money. **Cncl. Dilks** questioned what thickness of asphalt would be put on and how were the cracks going to be fixed. **Mrs. Cornforth** explained the thickness would be two and the cracks would be cleaned out and injected. The larger cracks also have a fabric over them and the same material used to fix the cracks is what can be used to smooth it out before it is overlaid. **Cncl. Dilks** questioned the lifespan of that compared to reconstruction? **Mrs. Cornforth** explained reconstruction would always last longer because the work is from the foundation up. Repairs should last fifteen to twenty years but some cracks may appear over that time. **Mr. Bonder** stated we got twenty-five years out of the current courts with minor reconstruction and now it's time to fix them right so hopefully we can get another twenty-five years out of them. He added we do not know what the soil is underneath and that factors into the cracks coming up to the surface. **Cncl. Dilks** requested prices on reconstructing the courts and repairing them. **Mrs. Cornforth** noted she could prepare an estimate for both ways. **Cncl. Heffner** questioned whether **Mr. Calvello** could temporarily repair the cracks so the courts could be used until repairs could be made in the spring. **Mr. Calvello** noted he would look at them to see if he could. **Cncl. Marino** noted **Jim** will also get contractors out there to get prices from both angles. It was noted the bid would be rejected by way of resolution at the September 11<sup>th</sup> Council Meeting.

• **Firehouse - RFP**

**Cncl. Marino** thanked the committee (*Cncl. Garbowski, Heffner, Marino*), the fire chiefs and the business administrator and everyone else involved in putting together the RFP that included two different options, Cecil as a new build and Cecil as a reconstruction/renovation. The RFP included enough information, mandatory meetings that the architects who bid must attend and a walk thru of the buildings on dates to be determined. **Cncl. Pres., McIlvaine** questioned if this will take care of both fire services as well as our taxpayers. **Cncl. Marino** replied yes and we also are looking at options to make sure they meet requirements if we have to go paid. **Mrs. McCormick** noted the submission date is October 30<sup>th</sup> and she questioned whether that date would be enough time. **Cncl. Marino** felt the October 30<sup>th</sup> date was fine; noting once we get responses back we will have a mandatory pre-bid meeting but that date was not yet been nailed down because we want to see how many people respond.

**C.) PUBLIC PORTION**

**Cncl. Miller** made a motion to open the Public Portion. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council in attendance.

**Joe Fisona, 19 Gilson Lane**, was in attendance regarding the traffic signal at Rt. 42 and Berlin Cross Keys Road. **Mr. Fisona** reported receiving a letter from the Bureau of

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**C.) PUBLIC PORTION (cont'd)**

Traffic Engineering and they were able to get the project included in the NJDOT capital program. The project name is Route 42 - Ardmore Avenue Camden County Line Pavement and the project manager's name is Andrew Mayscott. The project is now out of their hands and they recommended he pursue updates through the Monroe Township governing body. He suggested either the Mayor or Council contact the project manager to see when this will be going out to bid, the scope of the project and when it will actually start. There will be no cost to the township for this project. **Cncl. Pres., McIlvaine** thanked Mr. Fisona for all he did because he was able to get more done than the township or Washington Township, which was also having a difficult time getting this done. He noted he will relay this to the Mayor and they will call the project manager.

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

**D.) NEW BUSINESS - None**

**E.) OLD BUSINESS**

**Solicitor Fiore** reported a meeting occurred in his office with Mrs. Cornforth, Mr. Morris of Saybrook Avenue and his attorney. Some leeway was reached and he will be drafting the easement to send to Mr. Morris' attorney for review. Hopefully this matter that has been ongoing for two years will be closed out within the next six months.

**Cncl. Heffner** requested an update on the materials for the Hall Street School. **Mr. Heydel** explained Joe Clidy came back with the original estimate. He called him, left messages and text him to see if he is going to order the material because if so the purchase order will be made out to him. If not it would be made out to the supply company. **Cncl. Pres., McIlvaine** noted he spoke to Joe Clidy and he said he needed a product list from whoever was going to do the job. **Mr. Heydel** noted the job was scoped out and he received a quote from ABC Supply that said the amount of shingles and that's all he has. **Cncl. Heffner** questioned whether Mrs. Flaherty has heard from the contractors yet. Mrs. Flaherty advised all the contractors are donating their time on September 16<sup>th</sup> and she needs to know the materials will be there. **Cncl. Pres., McIlvaine** asked Chief McKeown try to get a hold of Joe Clidy so **Mr. Heydel** could speak to him.

**Solicitor Fiore** noted the new towing ordinance application dateline was May 1<sup>st</sup>. That date was extended and there have been additional submissions by attorneys on behalf of all three towers with an additional one received this week. **Mr. Fiore** suggested, in fairness to everyone, Council take no action tonight. He suggested the Towing Committee, Director of Public Safety and the Chief meet to review all the documentation submitted and then come back to Council with a recommendation in regards to all the additional submissions. Currently the three applicants are serving on the towing list without being permanently appointed and we appreciate that. He noted it is his understanding that the

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**E.) OLD BUSINESS (cont'd)**

Police Department has had no issues in regards to towing however time is of the essence and we need to move this matter forward. **Cncl. Heffner** noted he would contact everyone when a meeting is scheduled.

**Cncl. Pres., McIlvaine** requested Director of Public Works give a dissertation as to where we are with tot lots in regards to cost. **Mr. Calvello** noted he researched a couple playground suppliers from the internet and one was through the NJPA, which is a government program we can purchase through. He distributed to Council information, pictures and prices of the playground equipment; noting it is not cheap, running around \$35,000.00 and that does not include the install or site work. He added he did not dig deep into it he just wanted to see what the playground equipment was worth. **Jim Bonder** added with a certified installer the cost can almost double. General Recreation is the company used most often. He spoke of getting used playground equipment from Burlington County but then finding out to reconstruct and have it certified to ensure the township was liability compliant would have cost as much as it would to buy new. **Mr. Fiore** noted playground equipment becomes a liability nightmare because in addition to the purchase and the initial install there is also perpetual monitoring and reports that must be done to ensure there are no sharp edges or damaged areas. **Mr. Bonder** noted he is not sure where Council is considering putting the equipment but if it is put in a place where his department cannot monitor it, it really takes a beating. Knife marks damage the plastic to the extent that it becomes a liability and then there is the graffiti. We have problems monitoring and maintaining the equipment at Owens Park. **Cncl. Pres., McIlvaine** noted before the last Council Meeting in September he will try to have additional information for Council and then a vote can be taken to see if we will purchase new equipment for these sites or abandon them altogether. **Cncl. Dilks** questioned the number of sites being looked at. **Cncl. Pres., McIlvaine** advised there are seven and the cost as well as maintenance will be the issue but we will make that decision once we have additional information.

**Mr. Heydel** advised he spoke to Joe Clidy and he said the man from Five Star has no experience in installing cedar shake shingles and is just coming to be a helper. George Lowe will also be there but Joe Clidy is concerned that those coming out have no experience in installing cedar shakes. **Cncl. Heffner** asked Mrs. Flaherty if Council could have a meeting with the contractors. Mrs. Flaherty felt the Mayor and Kevin should handle getting the materials. She got everyone on board for two days to do the work and if we don't have the materials because we wasted so much time then the job will not happen. **Cncl. Heffner** noted but the concern is those people are not qualified to do the work. Mrs. Flaherty advised they are certified contractors and if they are not able to do it how could Joe Clidy work with George Lowe to put the proposal in. **Mr. Heydel** noted George Lowe was expecting him to be there with his guys. Mrs. Flaherty explained John Towers will be the GC lead but they will all be there with their guys because they all do roofing, they build houses and shopping centers. **Cncl. Heffner** noted we need to order the material now but we need to meet with the contractors to see if they are qualified to do the job. **Mr. Heydel** noted Joe Clidy gave him a list for ABC and Council authorized him to order those materials. **Cncl. Pres., McIlvaine** requested Mrs. Flaherty to set up a meeting between **Cncl. Heffner** and the contractors. **Cncl. Marino** noted he would take a measurement and be there also.

**MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017**

**E.) OLD BUSINESS (cont'd)**

**Cncl. Pres., McIlvaine** questioned the status of the demolition of the building next to the Williamstown fire house. **Mrs. Cornforth** explained ARH completed the plans that must be submitted with the Pinelands application, which has been completed and will be submitted to the Pinelands either tomorrow or Wednesday at the latest. **Cncl. Marino** noted Kevin is working on the disconnect with Atlantic City Electric, South Jersey Gas and Comcast Cable and he reached out to the MMUA Chairman Joe DiLolli and he in turn called the superintendent who is going to cap the water/sewer lines in the street.

**Cncl. Pres., McIlvaine** posed a question to Mr. Heydel regarding the status of a key fob system that would be utilized by the fire department to enter offices in the municipal building. Mr. Heydel replied nowhere because he thought regular keys were going to be used. Other members of Council commented that they didn't think a decision was made. **Cncl. Pres., McIlvaine** noted a move must be made because there is a concern with keys. We are nearing 2018 and we need to move toward the future and do away with them. Mr. Heydel noted the cost of putting in a key fob system for every office will be really expensive, probably around \$50,000.00. **Cncl. Miller** felt a master key system should be used like that used at the college as a key fob system will cost thousands of dollars and if money can be saved by just changing out locks then it should be done that way. **Cncl. Pres., McIlvaine** explained the problem is everyone wants a key to their own office, they don't want other people in there so four years from now we'll be in the same position with the fire company not being able to get in offices. We have forced the Knox Box System on every business in Monroe Township but we can't enter our own building and that is a disgrace so whatever needs to happen we have to do. He noted he spoke to Sgt. DeHart of OEM and he has volunteered to handle this project so we need to get the ball rolling. **Cncl. McIlvaine** requested Sgt. DeHart to put together the cost of a key fob system and a master key system and have the information for the September 11<sup>th</sup> Council Meeting. Sgt. DeHart noted he would do his best.

**F.) COMMITTEE REPORTS**

**Cncl. Miller** reported three redevelopment zones were approved by the Planning Board and at the next council meeting he will be requesting a resolution directing the Planning Board to start a redevelopment plan for one of the corners of Tuckahoe and Rt. 322, as there is a Super WAWA interested as well as another commercial entity interested in that site.

**G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - 8/28/17**

**Chief McKeown** noted he spoke to Kevin and the Solicitor regarding Resolution R:206-2017, which deals with the employee handbook as there are some things in there that specifically contradict police department regulations. Mr. Fiore was going to include some language that will clarify most of the things, however the vehicle use policy is almost a complete contradiction of the Police Department policy. The Chief noted he is required to put the employee handbook in his Police Department Power DMS Policy Manual and

MINUTES  
WORK SESSION MEETING  
TOWNSHIP OF MONROE  
AUGUST 28, 2017

**G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED - 8/28/17 (cont'd)**

having something that is almost in direct contradiction even with a heading saying it conflicts will be confusing for his employees. **Cncl. DiLucia** questioned whether it conflicted with the collective bargaining agreement. The Chief answered in some regard. **Cncl. DiLucia** explained the employee handbook has a disclaimer because some provisions may conflict with collective bargaining agreements but they trump everything else and take precedence. Chief McKeown explained he is referring to thirty years worth of press that is not specifically listed in the collective bargaining agreement, grievances and a history of grievances that have been resolved through previous township administrations and the current vehicle use policy. **Cncl. DiLucia** commented that he has no problem with clarity because there should always be clarity but 95% of the people who work here come under a collective bargaining agreement and when an employee handbook is promulgated that gives total management rights it conflicts with what was negotiated away so there will always be contradictions and confusion. If Kevin is willing to put language in there to reaffirm collective bargaining agreement understanding that could be done but in terms of clarity you would need to redo the entire book. Mr. Heydel noted this is more or less a generalized handbook because it always refers to collective bargaining agreements. The police department has a standard operating procedure but we cannot make an employee handbook for each department or for each collective bargaining unit. This is a blanket document that covers all township employees and if or where there is a conflict the collective bargaining agreement would take precedence just like it does over Chapter 65 of the Township Code. Every township has employee handbooks and it always seems we are different because we have special people and that is not the case because everyone is a township employee. **Cncl. DiLucia** noted when you have collective bargaining agreements you do have special people because when you negotiated contracts you gave away management rights to dictate terms and conditions of employment. Where the handbook conflicts the collective bargaining agreement prevails. When you talk about practices that are not specific in language that would be part of the collective bargaining agreement so if you have a history of things happening then we have to say that is what the employee handbook yields to. Anything that is a precedence or past practice and procedure is part of and parcel to a collective bargaining agreement. If you change everything that conflicts you will be writing the handbook forever but if you just agree that where there is contradiction it will be up to the bargaining representatives to know to make sure it is enforced according to the collective bargaining agreement, not the handbook. **Cncl. Marino** questioned if this would affect the presence of police cars around town. Chief McKeown noted if he were to follow this policy yes it would and that is the concern. **Cncl. DiLucia** noted the collective bargaining agreement should state under the management rights provision that anything that conflicts with this the contract prevails except State and Federal Statute. If there is a State or Federal law then the collective bargaining agreement is superseded by that but the employees handbook is superseded by the collective bargaining agreement. **Cncl. Pres., McIlvaine** questioned the last time the handbook was updated. Mr. Heydel replied 2012. **Cncl. Pres., McIlvaine** noted since it is not a pressing issue it will be removed from this agenda so further discussion can take place on it. He also has concerns regarding the chiefs of the fire departments and the ambulance squad that need to be worked out. The contract may cover the police but it will not cover fire or ambulance so this will be removed and reviewed again. **Sgt. DeHart, Chairman of the MTPA** noted there is a simple solution

