

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 14, 2018**

A.) OPENING CEREMONIES

CALL TO ORDER

The Ordinance Committee Meeting of the Township of Monroe was called to order at approximately 7:00 PM by **Ordinance Chairman, Cncl. Joe Marino** in the First Floor Meeting 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 (*N.J.S.A. 10:4-6 thru 10:4-21*). Notices were placed in the official publications for the Township of Monroe (i.e.: South Jersey Times, 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.

SALUTE TO THE FLAG

Cncl. Ron Garbowski led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Marvin Dilks	Present
Cncl. Rich DiLucia	Present
Cncl. Ron Garbowski	Present
Cncl. Bob Heffner	Present
Cncl. Bart McIlvaine	Present
Cncl. Cody Miller	Present
Ord. Chairman, Cncl. Joe Marino	Present
Mayor Daniel Teefy	Present
Solicitor, Louis Cappelli, Jr.	Present
Business Administrator, Kevin Heydel	Present
Dir. of Public Works, Mike Calvello	Present
Dir. of Comm. Dev./Code Enf., Rosemary Flaherty	Present
Captain Dave Daily	Present
Deputy Municipal Clerk, Aileen Chiselko	Present

B.) APPROVAL OF MINUTES

Cncl. Garbowski made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of February 7, 2018. The motion was seconded by **Cncl. Pres., DiLucia** and unanimously approved by all members of Council, with the exception of **Cncl. Dilks, Cncl. McIlvaine** and **Cncl. Miller** who Abstained.

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C.) PUBLIC PORTION

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

D.) ORDINANCES FOR REVIEW

- **Re-Appropriation of Capital Funds**

Business Administrator, Kevin Heydel explained that every few years the Capital accounts are reviewed for funds from Capital projects that are not spent. A list of the projects and account fund balances were provided with a draft Ordinance for review by Council to cancel and move the balances to the Capital Improvement Fund. Mr. Heydel said that he would like to instead cancel the fund balances to go back into the General Fund/Surplus, explaining that an Ordinance would not be needed, only a Resolution.

- **Chapter 73 “Records, Public Access To” and Chapter 74-13 “Fees” – Copies of Documents**

Solicitor Cappelli spoke in reference to the draft Ordinances for Chapter 73 and Chapter 74-13, explaining that the Ordinances will allow the Township to charge more for extraordinary OPRA requests, this Special Service Charge is permitted by the State. He continued to explain that the Township is losing a lot of money right now by not being able to charge for extraordinary requests because it is not in the fee Ordinance. **Cncl. Dilks** asked, as an example, if there was an instance where a request was given to a department to fulfill and the information provided was not what the requestor wanted, could the requestor again be charged; Mr. Cappelli confirmed that it could be another charge. **Cncl. Miller** asked Mr. Cappelli if he knew of other towns who also apply these charges, to which he replied that most towns do. He clarified that this Ordinance will modernize the current Ordinance. **Cncl. Heffner** asked about the charge imposed for each hour of extraordinary time, but he did not see a dollar value for that time. Mr. Cappelli explained the charge, per the State, is the hourly rate of the lowest level employee capable of fulfilling the request. **Cncl. Pres. DiLucia** said that a number of recent OPRA requests have go to Mr. Cappelli, because of the complexity of the request and asked if the requests could be charged at the Solicitor’s rate, to which he responded “yes”. Mr. Cappelli said that a lot of the requests they have been seeing are phishing expeditions, so his office needs to do some research. He gave an example of an OPRA request that was received by his office today and said that if this request was received after these Ordinances were in place, they would have said this request will take them an hour of research, they would have to use the lowest hourly rate set in their agreement, let the requestor know it would take one hour of their legal time and be charged for that hour. **Cncl. Pres. DiLucia** asked if it would be the lowest hourly rate or the lowest hourly cost, which Mr. Cappelli replied that it would be the hourly rate. **Cncl. Marino** mentioned that a question was previously brought up about requiring a deposit on an

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D.) ORDINANCES FOR REVIEW (cont'd)

OPRA request. He was shown an OPRA request form with the language in reference to deposits, that 50% or other deposit may be charged when a request for copies exceeds \$25 and the balance is due upon delivery of the records. **Cncl. Pres. DiLucia** clarified there would be an estimate cost, the requestor would pay half the estimated cost, and they would be informed of the final cost and would pay the balance when the documents are received. **Cncl. McIlvaine** confirmed with **Solicitor Cappelli** that these fees meet the State's requirements. **Cncl. Miller** made a motion to move both Ordinances forward for First Reading at the March 26, 2018 Council Meeting. The motion was seconded by **Cncl. Garbowski** and unanimously approved by members of Council.

- **South Jersey Storage Tax Abatement**

Solicitor Cappelli explained that this is a request by South Jersey Storage and is permitted pursuant to the Ordinance. **Cncl. Garbowski** confirmed, saying it was addressed at the previous Council Meeting, all the requirements were met, the Tax Abatement Committee met and it was set for a vote. **Cncl. Heffner** clarified that this abatement is only for the improvements, which **Cncl. Garbowski** confirmed it is for the \$150,000 in improvements. **Cncl. Garbowski** asked Mr. Cappelli if the final cost was submitted to him, which he replied that he did not think so. **Cncl. Pres., DiLucia** asked if it would be based on the improvement value or the assessed value. Mr. Cappelli said it would be on the assessed value of the improvement and is phased into five years. **Cncl. Heffner** clarified that nothing can be done until the project is completed and they have the Certificate of Occupancy. **Cncl. Pres. DiLucia** made a motion to move both Ordinances forward for First Reading at the March 26, 2018 Council Meeting. The motion was seconded by **Cncl. Miller** and unanimously approved by members of Council.

E.) MATTERS FOR DISCUSSION

- **Chapter 104 "Buildings" Article II Uniform Construction Code – Fee Changes**

Dir. of Community Development, Rosemary Flaherty stated that she will defer this matter to the Acting Construction Official, Bryan Glaze, but mentioned the Uniform Construction Department has been running in the red, approximately five to six years and the fees should have been adjusted a long time ago to meet the Department of Community Affairs' minimal standards. She said that one of the fees that are not being collected are for Demolition Permits, though it is in the Township's Ordinance. Mrs. Flaherty said that Mr. Glaze went through the Ordinance and has made recommendations to make sure the fees are at the State's minimal standard. **Acting Construction Official, Bryan Glaze** explained that he went through the UCC and made changes to the Township's Ordinance for fees. He said that the department has been running at the bottom of the barrel for a long time, so he has adjusted a lot of items so that a lot of the money can be recouped. He said the fees will go up substantially, which it should have gone up a while ago and did clarify that the Township has never asked for a Demolition Permit, which is in the Ordinance, so that has been a loss in revenue. He said that he

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E.) MATTERS FOR DISCUSSION (cont'd)

pulled the UCC report, saw it was in the red, pulled the last four years of UCC reports which showed being in the red, and stated that no one has changed the fees. **Cncl. Miller** asked if these fee changes are more comparable with the fees in surrounding towns. Mr. Glaze replied they are comparable, and at the UCC minimum that he pulled right from the UCC book. **Cncl. McIlvaine** told Mr. Glaze that he had once received a complaint from a resident who had a deck built and their permit fee was \$700, based on the cost of the job and asked Mr. Glaze if that is still the case. Mr. Glaze said that price of the permit seemed very high. He explained the fees will no longer be manually adjusted, it will be computerized. He said that once this Ordinance is revised, they will have their Mitchell-Humphrey system have the fees inputted; the information will be taken from the permit, entered into the system and it will generate a permit fee per the Ordinance and UCC fees. Mr. Glaze told Cncl. McIlvaine the building permits are based on square footage, so it depends on what size the deck is and that is how it is calculated. Cncl. McIlvaine said that the price of the permit should not have anything to do with the cost of the deck. Mr. Glaze said that there is a fee generated per the State that goes by the cost of the work. Cncl. McIlvaine clarified that the Township cannot set the fee, that we have to go by what the State says and Mr. Glaze confirmed. Cncl. McIlvaine returned to the issue of the \$700 fee, confirming that it was not a covered deck and did not have a Jacuzzi; the resident built the deck himself, the clerk in the Construction Department advised the resident that it did not matter and that because of the cost for him to build the deck, the permit would cost \$700. Mr. Glaze said it did not sound correct to him, but stated this is what they are going to try to avoid. **Mayor Teefy** advised the fees will be entered into the system and there will be no interface with the office clerk or inspector on what the fees are. Cncl. McIlvaine said he wants to make sure that we are fair and Mr. Glaze confirmed it will be because permits will no longer be hand-written, they will be computer generated with the fees. **Cncl. Heffner** pointed out that there are two different headings about fireplaces, that one states it is \$50 and one states it is \$100. Mr. Glaze explained the difference to Cncl. Heffner. **Cncl. Marino** clarified that cubic volume is how it is done for a building, an addition or a house, but a deck is done by square footage unless there is electric in it or anything, that fee will go up. He also asked about how solar panels were being charged for, to which Mr. Glaze said that it was not being charged properly. Cncl. Marino questioned if the office staff know how to use the Mitchell Humphrey system; Mr. Glaze said he has training set aside, they are waiting for another employee to return to work, which will be in three or four weeks, so when there is a full staff, the fees will be uploaded into the system and training will start. Discussion continued in reference to dumpsters. Mrs. Flaherty said that they want to try to get the dumpster fees at the Zoning Permit stage; this is the beginning of the project when people are getting approved to do the job, when we are aware of a total remodel needing a dumpster, we can refer them to the Zoning Office. She explained that due to the abandoned homes in town getting remodeled, the Township is experiencing an influx of contractors gutting out an entire house and not calling in and getting all the permits for the renovations they are doing, so the Township is losing revenue. She also explained that inspections are not being done on some of the work that is being closed-up. The Mayor noted emphasized that the safety aspect is more important than the revenue. Cncl. Marino asked about dumpsters needing triangle markers, asking if the dumpsters can be put on the street and do they need a street permit. **Dir. of Community Development, Rosemary Flaherty** responded that she would correlate with the

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E.) MATTERS FOR DISCUSSION (cont'd)

Traffic Division and Chief of Police when they found out the property was so irregular and there was nowhere to put the dumpster. In Maple Shade, they had reflectors so that people would see the dumpster from a distance when they were driving up to it. She said that the idea of this permit is not to generate fees, but to protect public safety. If a personal vehicle was being used, the Township could check to make sure the property is being properly maintained. An exception would be if it was a private development or major subdivision/site plan, the engineers would constantly be on site. She said the idea of the reflectors is that they would get these when the permits are issued. She said that if the dumpster needed to be on the street, she would not approve a street permit without speaking directly with the Chief of Police and Officer Burton. **Cncl. Marino** asked how the Township would know that the dumpster will be removed for the C.O. Mrs. Flaherty said that she believes it is a state law that they are supposed to get a slip before the C.O. for the demolition that is being taken from the site, so prior to the C.O. her department would have a checklist and add to it that the dumpster has been verified by the Zoning Office that it has been removed. She also said that with the slips, it should generate more revenue in the recycling budget in the tonnage report. **Cncl. Marino** polled Council and all were in favor of moving the Ordinance forward for First Reading at the Regular Council Meeting of March 26, 2018.

• **Tax Abatement for Residential Dwellings and Rehabilitation Areas**

Solicitor Cappelli said that he reviewed the Township's current Ordinance and tried to organize it in a better fashion, to clarify it and make it simpler so that any resident or potential developer can read it and understand exactly what it means. He started with discussing residential dwellings, referencing Subsection A, that if dwellings are more than twenty years old, any work done on residential dwellings that improve the value of the dwelling, the improvement in value would not be taxed for a period of five years; which, he noted is a nice incentive to improve your property. **Mayor Teefy** noted for clarification these incentives would be for use throughout the Township and Mr. Cappelli confirmed. **Cncl. McIlvaine** asked if this also includes swimming pools and Mr. Cappelli said it is for anything. **Cncl. Pres. DiLucia** asked what the minimum amount is and Mr. Cappelli said it is for the first \$25,000, which is the maximum. Mr. Cappelli continued with explaining the next section of the Ordinance, Subsection B, which states the Township determines to provide an additional abatement of some portion of the assessed value for up to five years, not to exceed 30% of the annual amount of the exemption granted under Subsection A. He explained if the exemption on Subsection A is for \$25,000 and additional abatement can be done for up to 30% of the \$25,000 for five years, clarifying this is for residential developments. Mr. Cappelli continued with discussing multiple dwellings, that it is the same with the conditions of the \$25,000 and five years, anything beyond would be a cap of 20% of total cost of the improvements or as long as the abatement does not exceed 30% total cost of the improvements. He gave an example of this applying to an apartment complex with four buildings. Mr. Cappelli continued with discussing existing commercial and industrial facilities, explaining it is for the first \$50,000 in improvements. **Cncl. Miller** asked if it limits us if we do the \$50,000, giving an example of a small business doing an improvement that is \$25,000, for a small business, that is a substantial amount; Mr. Cappelli confirmed they would

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still get it, because \$50,000 is the maximum. **Cncl. McIlvaine** asked Mr. Cappelli where these amounts came from. He said that they looked at other towns and it is comparable to Glassboro and other surrounding municipalities. **Solicitor Cappelli** continued with discussing new construction of commercial, industrial and multiple dwellings, that we can apply some of the same formulas to the new. He gave an example that if a new structure is worth \$300,000 for the first five years, maybe we abate \$50,000 as a maximum, which still gives some incentive to build new. He clarified that these are not areas of redevelopment or rehabilitation, it is for improvements to existing residential, existing commercial and industrial and new industrial commercial. **Cncl. McIlvaine** asked Cncl. Marino and Cncl. Garbowski if we should make it better for someone to come in to rehab an existing building instead of encouraging to come in and build a new one. **Cncl. Marino** said that maybe it depends on that business' financial situation. **Cncl. Garbowski** said that if it is an existing structure, the business would have to go and analyze it and see how much it would cost. Cncl. Marino added, in his opinion, he would like to see existing buildings fixed up, which Cncl. McIlvaine agreed and asked if they should make it more appealing to have a business come in and rehab an older building and less to build something new. Cncl. Garbowski said he thinks the business makes out better to come in and rehab an existing structure and Cncl. Marino agreed and thinks from the tax base, they would be in better shape with an existing building instead of getting taxed on new construction. **Cncl. Heffner** asked if multiple dwellings is referring to developments. Mr. Cappelli replied that it refers to an apartment development, but not a single family home development. **Cncl. Miller** confirmed that Council grants these abatements and still goes through the Tax Abatement Committee after review of the tax abatement applications. **Cncl. Marino** mentioned swimming pools, sheds and garages, asking if they are not attached to the building, do they qualify. Mr. Cappelli said that he will double-check, but said the shed will not. **Solicitor Cappelli** continued with discussing the last section of the Ordinance, that it codifies the existing laws in regards to areas of rehabilitations. Cncl. Marino mentioned the section in reference to tax phase-in basis, noting it shows in increments and not a five-year. Mr. Cappelli said it was in reference to rehabilitation. **Cncl. Marino** polled Council and all were in favor of moving the Ordinance forward for First Reading at the Regular Council Meeting of March 26, 2018.

F.) NEW BUSINESS

Mayor Teefy spoke in reference to TNVR (Trap-Neuter-Vaccinate-Return). He attended a seminar and learned that 572 stray cats from Monroe Township were euthanized between the years 2015-2017. He explained the program, that instead of euthanizing the cats in a pack, the pack will be minimized; the County will trap the cats, neuter, vaccinate the return them back to the pack. The packs will no longer multiply and will instead decrease the pack. He said that they have seen this program work throughout the country. Mayor Teefy told Council and the Solicitor he could provide a model Ordinance, if they were interested. **Cncl. McIlvaine** asked the Mayor if this is a cost to the Township. He replied that it is not, that it is a function of the County and the Township would allow them to come in and use this program on the stray cats. **Cncl. Miller** said the County partnered with them because of the issues they were having at the

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animal shelter, so they are trying to change the way they run their operations with euthanizing becoming the last resort. He feels it is good they are addressing the issues and if we could do something similar and adopt the model Ordinance to authorize them to come into the Township with this program. **Solicitor Cappelli** stated, from experience in other towns, there are people who are for this program and there are people who are not for it, because it is not from a public health perspective a good idea because the cats that are left, live and defecate outside. **Mayor Teefy** reiterated that he learned from the program that it downsizes the pack of cats. Cncl. Miller asked the Mayor if they might want to defer this first to the Board of Health, which he mentioned the Ordinance dealing with leaving animals outside, they were not included in the conversation topic. The Mayor said he will forward it to them and also get their opinions on the matter.

Solicitor Cappelli spoke in reference to the Ordinance authorizing the township to conduct a private sale of township-owned land. He mentioned one of those properties, Corkery Lane Block 3901 Lot 25, adjacent to Summerfields West and the possibility of them purchasing this land for their use. **Mayor Teefy** explained that it would allow Summerfields West to have the expansion to put their basin in and do some other work. Mr. Cappelli said he received a phone call from the attorney of Summerfields. He also said in the Ordinance, it specifically states a couple of things that need to be incorporated into deed restrictions. The relevant ones are the purchaser or subsequent purchaser shall not be permitted to construct another principal structure thereon. He said Summerfields asked that if they purchased this property, could they install a drainage basin, which Mr. Cappelli thinks is not a principal structure. He also thinks if a road is constructed, it is not a principal structure. He mentioned if they made a pad for a mobile home; that would get more into a gray area. Mr. Cappelli wanted to hear from Council as to whether they think Summerfields, if they were a successful bidder, should be permitted to put a pad for a trailer on this purchased land. **Cncl. Heffner** said that property backs up to residents' homes, which is land-locked property, and a retention pond with landscaping railing is fine but he does not think a concrete pad would be accepted by the residents. He said there should be a buffer between them and a trailer, he does not think any permanent structure or a road should be permitted, which could also cause drainage problems. **Cncl. McIlvaine** asked if they had them join the lot to their existing property, then that would be a part of their exiting plan, so they would not be able to do anything without coming before the Planning Board; he asked if they could list it in there that they combine with the exiting property. Mr. Cappelli said that would be fine, but clarified that is not how it is right now, it is not part of an existing. Mayor Teefy agreed with Cncl. Heffner about having a buffer between the residents. Cncl. Heffner said he would like to see this matter left in the hands of the Planning Board. **Dir. of Public Works, Mike Calvello** said this property is 2.5 acres and asked if pads could be put in if there is a big enough buffer zone. Cncl. Heffner replied that they could not if there are deed restrictions. Mayor Teefy said that they cannot put a pad in if it is going to bring water in from their property onto the adjacent property. **Solicitor Cappelli** said with this deed restriction someone can stop a pad being put in. He thinks a principal structure, which means a principal use, is a pad and trailer.

Mayor Teefy spoke in reference to information Council received about a position for the Public Works Department, "Municipal Department Head for Sanitation and Recycling", saying

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he would like to have it included in the Salary Ordinance. He said that when the township went out to replace the supervisors in Public Works for sanitation and recycling, they went in to combine the position, making one position/supervising position. He said when they looked at it, they noticed that going through civil service, they had a small pool of qualified people and that if they go to a municipal department head they can expand that pool and open it up to get more people from the outside and inside to interview for the position. Mayor Teefy thinks this is a good move for the township, explaining this is one of the key areas of the Township with one of the biggest services provided with picking up of the trash and recycling, and to run it properly we need the right person in the position to do it and that is why they expanded the pool. In attendance to speak on this matter was **Human Resources Coordinator, Christine Scola**. Mrs. Scola said she sent Council the email so that they would be fully aware of the reasons behind it and asked if they had any questions for her. She spoke about the email, that it included two scenarios, which was internal or external. She said that looking at the internal applicants, all but one were non-competitive positions, which means if they were to be moved into a competitive position it would open up the provisional announcement/open list, we basically would not have a choice once that list comes out and we hire off that list. She said we could have the "worst of the worst" on that list if you were qualified to be on it and she does not think this position is one that should rely on that type of hiring process and basically when opening it up to a municipal department head, it did two things: it saved approximately \$90,000 and it basically made and held the person responsible for doing their job. She said what is needed in that position is someone accountable, who will perform and not be owed because of seniority or any other reasons that may be behind it. She said that she is for employees moving up, but asks what they did to get there. She said it was really hard with looking at one person versus fifteen people and with a position such as this, she does not think they should just settle. **Cncl. Pres. DiLucia** said to Mrs. Scola, when she did her numbers, she assumed that nobody was going to take the place of the two people who are under the collective bargaining agreement who in fact were productive employees that did work; he asked her if they are going to be replaced and isn't that going to be two salaries in addition to the supervisor. **Cncl. Pres. DiLucia** clarified his statement and question to Mrs. Scola saying the two people who were quasi-supervisors who were under the collective bargaining agreement and could do work of the bargaining unit, she is now proposing to hire somebody that is going to be excluded from the bargaining unit which excludes them from being a worker, that they cannot perform work in the bargaining unit, they can only supervise. He said those two employees are going to have to be replaced that did not work in the bargaining unit, therefore there will be two additional salaries. He does not calculate that \$90,000 is going to be saved, that it will cost more. **Cncl. McIlvaine** asked **Cncl. Pres. DiLucia** to clarify the statement about the two people. **Cncl. Pres. DiLucia** explained there are two separate departments where two people were over those departments and **Cncl. McIlvaine** explained they are being replaced by one person. **Cncl. Pres. DiLucia** said that one person cannot work, to which **Cncl. McIlvaine** said that he is a supervisor. **Cncl. Pres. DiLucia** explained that the other two people were not just supervisors, they were also workers. **Cncl. McIlvaine** did not agree to his statement. **Cncl. Pres. DiLucia** said from what he understands, they did work occasionally. **Cncl. McIlvaine** said one person never did anything but supervise and the other person worked once in a while in a trash truck. **Cncl. Pres. DiLucia** said that now

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it is not going to be once in a while. **Human Resources Coordinator, Christine Scola** asked Cncl. Pres. DiLucia if he is assuming that the municipal department head would not be a “working” position. He replied he is and this position would exclude this person from working under the collective bargaining agreement, which says it defines their roles. He further explained a supervisor under PERC is someone who hires and fires, not work. He clarified that he is not bargaining on behalf of the union, it is not his job, but it is clearly an excluded job from the bargaining unit once it is a supervisor. Mrs. Scola clarified that it is an “unclassified” position. Cncl. Pres. DiLucia said under the collective bargaining agreement, which we have agreed to abide by, there is a recognition provision that defines the difference between a bargaining employee and a non-bargaining employee. He said this is a non-bargaining employee, which means they do not do bargaining at work, which is different from “working” supervisors. Cncl. McIlvaine asked why this person cannot do work besides supervising, to which Cncl. Pres. DiLucia said it is because work in a bargaining unit and nobody bargains for them. **Business Administrator, Kevin Heydel** said he thinks that the intent would be to put this position in the Supervisor’s Association. Cncl. Pres. DiLucia said that would be up to the union to argue, that he is not going to argue their case, but clearly there is a line of demarcation when you file for a certification and the recognition provision under the collective bargaining agreement differentiates between who does bargaining unit work and who does not do bargaining unit work. He clarified that the question he initially asked was just towards the savings of money, if what Mrs. Scola is saying that those two employees did not work, did not provide work, are not going to be required to provide work, then he understands there is a pure savings. He further clarified that if these employees did work on those occasions that work has to be performed, someone is going to have to perform it, which is going to offset the savings. He mentioned that he has other problems with this in addition to that, but he just asked for clarification on that. **Cncl. Pres. DiLucia** asked Solicitor Cappelli if he understood what he is saying in terms of defining the bargaining unit differential between the two. **Solicitor Cappelli** said he is not familiar with the situation but thinks what Cncl. Pres. DiLucia was saying is the supervisor is an unclassified title, to which Mrs. Scola explained that the position Supervisor of Sanitation/Supervisor of Recycling is “classified” and the position they would like to hire for is an “unclassified” position; Mr. Cappelli continued with saying that this position is not a part of the collective bargaining agreement therefor would not be able to do the work of (*inaudible*). Cncl. Pres. DiLucia confirmed this was the point he was making. **Cncl. Marino** asked **Dir. of Public Works, Mike Calvello** how much the previous/retired employees were supervising. He replied that one supervisor occasionally did work in the truck and did the work of someone in a bargaining unit and the other supervisor did not really work that much, he kind of just overseen the department. Cncl. Marino asked if his staff numbers were better records-wise, was there a reason for that. Mr. Calvello said these departments have been running for months without these supervisors since they retired. He said that he was curious as to what Cncl. Pres. DiLucia was saying, because all of their supervisors are “working” supervisors. Cncl. Pres. DiLucia explained they come under a collective bargaining agreement, which if they bargained, they can do work different than if they were excluded as supervisors; he then explained the definition under PERC Mr. Calvello asked why the new position couldn’t be absorbed into the Supervisor’s Association and Cncl. Pres. DiLucia said because what is being asked for in Mrs. Scola’s email, they now

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want the right to say either do the work or “goodbye”, which excludes this person from collective bargaining and he is an employee of will now, with a legal difference. **Cncl. Pres. DiLucia** suggested contacting Labor Counsel. **Cncl. McIlvaine** said he understands what he is saying and clarified his point being they are not hiring a person to drive a trash truck and flip cans. Cncl. Pres. DiLucia agreed and reiterated his original question, saying he does not have a problem with him just being a supervisor, that is what he should be; Cncl. McIlvaine clarified with Cncl. Pres. DiLucia that what he is saying is that they will have to hire two people to replace the other employees, to which Cncl. Pres. DiLucia responded it is not that they have to hire anybody, to which Cncl. McIlvaine said he told Mrs. Scola the \$90,000 savings was not true, to which Cncl. Pres. DiLucia said it would be offset by some amount so any work that anyone is required to do, because nobody is there to do it now that these supervisors did before is going to have to go either in a form of another employee or overtime, so it will offset the savings at some degree, to which Cncl. McIlvaine said he disagrees. **Business Administrator, Kevin Heydel** said there used to be one supervisor until a situation arose and they had to have two supervisors, so if they go back to one, since they have the headcount they can replace the other supervisor position with a truck driver who is actually going to go out there and do the work. He said the \$90,000 savings is not necessarily such because now they would be hiring a truck driver at a \$30,000 lower salary, explaining there would be one who supervises but getting another pair of hands as a truck driver or laborer within that department to do that type of work. Cncl. McIlvaine said he understood what he was saying, but what they are trying to do is save money by doing away with two supervisors by hiring one, but now we are going to hire one and then appoint someone else to be another supervisor so basically not saving money anymore. **Human Resources Coordinator, Christine Scola** said because we lost the two employees and the work is getting done, she thinks the problem that we have is not that the work is not getting done, it is not getting done efficiently, there is not much oversight and Mr. Calvello can only man so much, so this whole point would be a backup, more of a delegator because she hears the complaints from employees about other employees and she understands what Cncl. Pres. DiLucia is saying about the money, that maybe she should have been a little more tight with what she was saying, to which he asked Mrs. Scola not to take it as a criticism but only wanted clarification. Mrs. Scola understands, said it was a great discussion and at the end of the day, they want to do what is best and what is best right now is not what is there. She said though it would have been an easier process to have someone internally who is qualified and move them right up the chain, but we need backbone out there, as there are a lot of complaints and a lot of wasted money. She sees it and has the files, which she cannot discuss, but it is there. **Cncl. Miller** said that he realizes that everyone is looking at this matter as a cost savings, but probably what is out there right now is probably not adequate, to which **Dir. of Public Works, Mike Calvello** said that is correct but he could consolidate two positions. **Cncl. Dilks** asked for clarification on “adequate”, asking if they meant they do not have enough men to do the job or short a supervisor. Mr. Calvello said they are short two supervisors and if they were to plan to hire, it would be more laborers that start at the bottom that are going to do the work. Mr. Heydel said that is where a supervisor would be replaced with a laborer or a truck driver, they are not going to save a whole body; the intent is to have someone oversee the operation and manage approximately 23 people, someone who will manage. **Mayor Teefy** stated they are looking for more of a hands-on manager than

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someone who is just sitting in the office, someone who is looking for efficiencies to improve the services for people, someone who has experience in doing that and that is why they went through the interview process to go through with 15 applications and interviewed 6 people. He said they felt like this is the right direction because they are going to consolidate two into one and then if they could look at it that if they bring someone in at a lower rate, they can add to the manpower later on down the road. **Cncl. Pres. DiLucia** said aside from the problem of economics which we also have the responsibility to make sure of the dollars, he has a problem with the process. He clarified that it is not his job to hire and was not involved in the interview, but thinks if they had their druthers to make a workforce believe that there was some career ladder opportunities, but he thinks there is a feeling out there now that there is no chance for advancement. **Cncl. Pres. DiLucia** stated that he wants the process to be that Council is the one who approves new jobs and Council approves rate ranges. He said he does not want the cart put before the horse again, that we had this before, that he said he had a problem before in reference to police officers. He said he will not vote "yes" tonight to move this forward, that this process should be adhered to, he explained that if Administration wants a new job created and a range of pay to give that job, it should come before this Council before anyone is hired or anything is put in place. He said he refuses to vote tonight unless this starts from ground zero. **Cncl. Pres. DiLucia** stated that if there is savings on this job, it will be more efficient, they are hiring a more qualified person, that is not his decision to make; but, the creation of this job and the range of pay is 1/7 of his responsibility as a Councilman. He clarified and insists this should come before Council before they did anything. **Cncl. McIlvaine** agreed to what **Cncl. Pres. DiLucia** stated, that this Ordinance should have come to them before they made this decision to hire out, however they are in a place now that they cannot afford to waste any more time and it needs to move forward. He said that Mr. Calvello has his hands full with what he is dealing with right now in a department with less and less people. He agrees that he likes to see employees move up from the bottom, but has seen for himself while working on police cars that with the exception for Mr. Calvello working his way to the top, he sees no one, including the people who interviewed for this position, try to work their way to the top. He said and "I'm entitled to it", which he felt was wrong. He continued to express that we need to make some changes, otherwise we just continue with the "same-old, same-old". He feels that if that is what an employee is intended to do, to move to the top, then they should have been working, working hard and stepping up. He said that he saw Mike Calvello step up to the plate every single time, for as long as he can remember, and ultimately he stepped into the position. **Cncl. McIlvaine** reiterated that he agrees with **Cncl. Pres. DiLucia**, that this is entirely their business to deal with here with making new positions and salary ordinances and it should have been brought to Council beforehand but we cannot wait any longer and this move needs to come from outside. **Cncl. Pres. DiLucia** said that he agrees that Council is not the hiring authority and not arguing about who should or should not get the job and further explained there are other departments who have automatically been moved up based on their seniority date instead of qualifications. He clarified that his problem is that he is not going to agree to break the way this process is supposed to go. He feels that Council has been cut out of this process, which is not the first time, but is the last time because he is not going to allow it to happen again. **Cncl. Pres. DiLucia** stated that according to Robert's Rules of Order, this is not being done properly, that under our law, Council is the only one that can create this

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job and this rate. He said it is not being done because people are already being interviewed and he has seen the budget and dollar amount. **Cncl. Pres. DiLucia** stated for the record, he is not saying who should get hired, and that is another issue which he has said before. He said it is up to the employees' representative to file a grievance or whatever they are going to do and that will be settled in some other court, but right now they cannot go forward with this because it is not a job yet and has not yet been approved and should not be approved until they vent it. He said he did not have the opportunity to look at this job, that he has no idea what this job should pay or what the salary range should be. **Cncl. Pres. DiLucia** said the rest of Council can do what they want, but he will not vote to move this forward; he felt it should go back through the process and do it right. **Business Administrator, Kevin Heydel** asked for clarification on "go back through the process", asking if it meant to stop everything now and re-advertise. He said that nobody is hired, they would like to because they have a good candidate, nobody has been hired and nobody has been promised anything. **Cncl. Pres. DiLucia** clarified that nobody gets hired until we go through this process. **Mr. Heydel** said that is why they are there tonight. **Cncl. Pres. DiLucia** asked **Mr. Heydel** to give him some facts and figures on what rate range and a job description. **Mayor Teefy** read aloud the hourly range of \$18.00-\$35.50. **Cncl. Pres. DiLucia** asked if there was a job description that Council was given. **Cncl. Marino** asked for clarification on if this job is going to be re-advertised once the position is created. He suggested that this job be re-advertised and whether or not the same applicants come forward, they will be given a job description. He understands there will be a fee that goes along with this, but reiterated the Mayor's comment that this is one of the Township's biggest departments and an important one. **Cncl. Marino** said that from his perspective, we knew these employees were going to retire in December and this process could have already been started and in hindsight already been moved forward with by now. He said in the future, if we are looking at people who are retiring, and he likes the idea of this position, but the process has to be done right. The Mayor said that **Mrs. Scola** could explain that there was a lot going on since August. **Cncl. Marino** clarified that he is not blaming anyone and asked if there was any way to put anyone as acting/temporary to be in charge meanwhile since **Mr. Calvello** has a lot on his plate. **Mayor Teefy** replied that **Mr. Calvello** is in charge, there is nobody that can be given this job position. **Cncl. Marino** questioned there is nobody who can do it as temporary? **Mayor Teefy** confirmed that was correct. **Cncl. McIlvaine** asked **Cncl. Marino** why they would start the entire process that they have already interviewed asking what are the ends to your means? **Cncl. Marino** said that we hired, interviewed and hired somebody, pretty much without having a way to pay. He said some say to let's start over and do the process right. **Cncl. McIlvaine** said that they want to do the Salary Ordinance from the beginning, he is okay with that, but to make everyone re-do all of this work, such as re-advertising and re-interviewing people all over again, it is futile to him and does not know what the purpose is behind it. **Cncl. Marino** said he feels there is a public perception as they represent the public and now need to make sure they are doing things in a process. **Cncl. McIlvaine** said the process with the advertising and interviewing was done correctly. The process with it coming before Council for the Salary Ordinance, is late. **Cncl. Marino** asked which part of the process should go first. **Cncl. McIlvaine** reiterated that **Cncl. Pres. DiLucia** wants **Mrs. Scola** to find out what the job duties are for this position and what the salary range is and the surrounding areas salary range; he is okay with this and does not see a reason why to

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start from the very beginning for advertising for new perspective employees and then start the interview process, which would call for a lot of time, money and energy. Cncl. McIlvaine agreed with Cncl. Marino that this process should have been started a while ago since the employees retired in December. **Cncl. Pres. DiLucia** clarified the process he wants to see is that Administration goes to Council with a job description for them to review, the rate of pay that is compared to where it came from, what the individual will get paid. These are all things that Council is entitled to and nobody is prepared to give this to them. **Human Resources Coordinator, Christine Scola** knows how she would feel that if she was an employee of Public Works and she was already interviewed and rejected, the job was re-advertised, and she applied and was rejected again; she knows that there were some people who worried about morale and how they felt out there and she thinks that would be a double-slap in their face. **Business Administrator, Kevin Heydel** said the salary range they were proposing for the position is the exact same salary range for the supervisory positions they are replacing; there is an hourly rate minimum and maximum. Mrs. Scola noted this information was in her email. The hourly range is \$18.00-\$35.50. **Cncl. Marino** asked if the person getting hired for this position is starting at \$18.00 or is it determined by the experience they have for this position. Mr. Heydel advised it is going to commensurate with this person's abilities and be around what the previous supervisor was making. Cncl. DiLucia asked what the salary was of the previous supervisor. Mr. Heydel said it was \$68,000, which Cncl. DiLucia said the budget said it was \$77,000; Mr. Heydel and Mrs. Scola said that may have included overtime and sick buy-back. Cncl. Pres. DiLucia asked if this person gets hired in April, how much sick buy-back are they going to have. Mr. Heydel replied that he would have to look at the budget; Cncl. Pres. DiLucia replied this is his problem. Mr. Heydel said he put \$77,000 in the budget, they are asking up to a maximum of \$35.50 per hour, which would be \$74,000, with what was in the budget he would have to think he might have included a sick buy-back. Cncl. Marino said if this is a starting position, it looks like this person is going to be hired at the max. Mr. Heydel and Mayor Teefy said no, you do not hire people at the max. Cncl. Pres. DiLucia did the math out loud and said that it is pretty close. **Dir. of Public Works, Mike Calvello** noted that this person is not going to make more money than the prior supervisor we had and they are not going to make more money than the supervisors that he does have. **Cncl. Pres. DiLucia** said that when he looks at the budget, it says \$77,000 and feels that the rate range is absurd. He said that once Council approves the rate range, they have nothing else to say, and they only time they are going to have anything to say is now. He said Council should have some idea of about what somebody is going to get and why they are going get it. Mr. Calvello feels Council is questioning only this salary. Cncl. Pres. DiLucia clarified that he is questioning this salary because Council is being asked to make laws without having the opportunity to understand or receive the information they need to act on the law, needs to end; this is to prevent this from happening again. **Solicitor Cappelli** asked if this is a protected position and asked about what if the employee does not perform. Mrs. Scola said it is an unclassified position at the term of the appointing authority; it is not a protected civil service position. **Cncl. Marino** asked **Mayor Teefy** what the intent was this evening, if it was just for discussion, because it was not placed on the Agenda. Mayor Teefy started to explain that before he moves it forward, because we need to get people in place to give Mr. Calvello a person who can help supervise that department and Mr. Cappelli interjected saying he did not think the

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Mayor was proposing to put forth an Ordinance, because it was a hiring, but the Mayor said it was for the Salary Ordinance. **Cncl. DiLucia** clarified that if Council gets the information they are supposed to get, between now and the Council Meeting, he will put it on for discussion at the Council Meeting and if everyone is satisfied that everything has been done prior to it, we put it on the Agenda and have first reading. He said he will not vote on it this evening. **Cncl. Dilks** stated that he did not think the Mayor was asking to vote on it this evening and to just move it forward, and Cncl. Pres. DiLucia said he did not know what the Mayor's intentions were and thought he was asking them to vote on it this evening. Cncl. Dilks agreed with Cncl. Pres. DiLucia, that in the past, they have always had the information on what they were to vote on and Mr. Heydel said that he will have the information to them the next day. Cncl. Pres. DiLucia said for over two months, there has been no supervisor there, so he will not be convinced that this is a die-hard emergency. He feels what he is asking for as a Councilman, is reasonable, to receive the information requested they are entitled to prior to the Council Meeting so they can vent it and be prepared to vote to move it on, he will put it on for discussion at the Work Session of March 26, 2018, they can act and have the first reading by April 9, 2018 and still have two readings. **Business Administrator, Kevin Heydel** replied that is fair. **Cncl. Marino** agreed to not going through the process again for re-advertising and if they can get Council on board with what they are doing. He polled all of Council and they all agreed to have an Ordinance drafted for first reading for the Council Meeting of March 26, 2018. Mr. Heydel clarified the \$77,000 in the budget was an intent to keep the wages the same as the supervisory positions they are replacing, to keep it consistent.

Business Administrator, Kevin Heydel stated that he had another matter/ new business to bring forward. He spoke in reference to a mechanic who has been out on disability the past year, an intern has been brought in from Gloucester County College and has been working for the Township, and they would like to bring him on as a full-time employee. He said the matter is a Civil Service issue and the only title we have is a Mechanic, which is a competitive title. When there is a competitive title and they want to hire somebody, they are hired provisionally, an announcement is made by civil service, people come in and apply and the person they hire can be bumped out of that job. He said, that is what is wrong with Civil Service here, and he proceeded to explain the process. He said they have to work within the process legitimately and the only way we get to do things legitimately is to bring people in at the lowest level. He explained the clerical positions are non-competitive, but we do not have a non-competitive title for mechanics. In the past, a laborer was hired, worked as a mechanic for about a year and then was bumped up to the competitive title. He does not want to have to hire a laborer to work as a mechanic, he would rather have a Mechanic's Helper. He requested to have the title "Mechanic's Helper" added to the Salary Ordinance, which is a non-competitive title, is a 5 or 25 cents difference from a laborer position because it is a more skilled position. Mr. Heydel is requesting this title so they have a Salary Ordinance and gives the Township the ability to hire a low-level person and not have to deal with the competitive issues of having a Mechanic. **Cncl. Mellvaine** asked if they can do it the same way as **Cncl. Pres. DiLucia** said for this position, to request information on the job description and salary range. Mr. Heydel will send Council this information, as well. **Human Resources Coordinator, Christine Scola** noted the title

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“Mechanic’s Helper” does not have a salary range. He polled all of Council and they all agreed to have an Ordinance drafted for first reading for the Council Meeting of March 26, 2018. Mrs. Scola spoke with Local 1360 Union to make sure they would not be any pushback for adding this title into their contract. She was told they were okay with this, but she will get this response in writing.

Mayor Teefy brought up another matter for the Salary Ordinance in reference to the title “Management Information Systems Coordinator”. He stated that we are at the salary range maximum of \$77,300 and feels that for somebody who is in that position doing that work, we need to expand it by another \$10,000, up to \$87,000 or \$90,000. He thinks the person doing the job now is doing it very well and if we compare that to other salaries in other townships and other counties, where they are doing just email or network jobs, this job encompasses email, network, tech support for one person. He said from what he can see going on is the person we have in that position is going to be here for a little bit longer and then we are going to have to find a replacement down the road and we are not going to find a replacement for \$77,000, because they would want more than that amount. He feels that to be competitive down the road, we need to expand salary range to \$87,000 or \$90,000 to help us down the road. **Cncl. Miller** asked if we have done the research in other towns our size with this employee’s responsibilities and have a spreadsheet of their salary rates. Mayor Teefy said he will get that information. **Business Administrator, Kevin Heydel** said he sent that information to Cncl. Marino, to which Cncl. Marino replied that the salary samples were for State and County, not Municipalities, and asked for that information. Mr. Heydel said that a lot of municipalities do not have on-staff employees, they use third party services. He said he asked the Borough of Glassboro and they just hired somebody for \$90,000. The Mayor mentioned that our Township once had an outside consulting company, but it did not work out well for us, so that is why we hired someone in that position who has done a good job for us. He explained with outside consulting companies, they don’t get to know the employees and systems as well, they are not here, they are not reachable, we are not a small entity and have ten servers. Mr. Heydel added that having to deal with and keep up with maintaining firewalls, making sure SPAM is not getting through, doing the backups, constantly finding a better price in services needed adding this position is no longer what it was when this employee was hired. **Cncl. Pres. DiLucia** asked if this will start a chain-reaction with the other person working in the same department. Mr. Heydel replied that it will not, because that employee is a computer service and the other employee is a computer service technician and does not have the expertise of this employee. He said the other employee can fill-in and do certain things, but cannot do a majority of the management of the systems. Cncl. Pres. DiLucia clarified that he meant, does it throw the relationship between the two jobs out of whack, to which Mr. Heydel replied that he did not think so. Cncl. Pres. DiLucia said the other employees makes approximately \$53,000 and if going to \$90,000, would it create a problem. Mr. Heydel said he could try to find that job title and give comparisons on that job title. **Cncl. Heffner** said it sounded like a salary range for future hiring, but now sounds like a change of salary range to give somebody a raise above and beyond. Mr. Heydel said that when he sees the information he is giving, the person that we have today would be making Step 2 in the County after ten years, which is a 30% difference. **Cncl. Miller** said as long as this is done because we

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are trying to be proactive and envision that at some point in time we are going to have someone new in the position, his only concern is that he does not want this to start a chain reaction with employees feeling their salaries are not comparable. Mr. Heydel feels that our employees are comparable in this case. Cncl. Miller asked if we have done a breakdown of other departments. Mr. Heydel said for the past fifteen years, he has been researching titles and what employees should be paid, what kind of classifications they should be in and feels that our employees do well. He will provide more information on this matter, along with the two previous matters in reference to salaries.

Cncl. Marino spoke in reference to the "Abandoned House Coordinator" position that was created and mentioned Mr. Heydel previously said this title can be eliminated from the Salary Ordinance. **Business Administrator, Kevin Heydel** reiterated how we started the process, why we started the process, that it kind of grew and became overwhelming and out of control. He said Rosemary Flaherty has done an excellent job in putting everything all together, creating files on everything that was done, but with viewing this, it is a Zoning issue. He said we are talking about violations, which falls under Zoning and does not need a special coordinator to do this. He said Mrs. Flaherty has been doing it and he has been doing it on the financial side, and that it is not necessary to give someone else a stipend in order to do it. Mr. Heydel said between him and Mrs. Flaherty, they are managing it and have it under control. He said even though they have it under control, they are still working with plugging away and getting dollars back and that he previously explained the processes they have to go through. He explained to have this position out there, at the time when we were going into this, they thought this was the best way, but it has grown so big and out of control and also impacted the Construction Department, because it took away from that. He said with it under control now, we believe we do not need that stipend anymore. **Cncl. Pres. DiLucia** clarified with Mr. Heydel that we do not have anyone getting that stipend anymore and said it is a moot point. Mr. Heydel agreed and said there is no need for it to be in the Salary Ordinance. Cncl. Pres. DiLucia asked if this is the only title in the Salary Ordinance that is not being filled. He asked if there was a grievance with this title and Mr. Heydel said he had not received one. Cncl. Pres. DiLucia questioned why not have all the inactive titles removed instead of just this one, to purge them all. Mr. Heydel said he will review the Ordinance for other titles. **Cncl. Marino** asked if there was a contract tied to this title. Mr. Heydel said the contract states that if a person is appointed to that position then they are entitled to (*inaudible*). He said that it is up to the Mayor to put someone in the position or not. He said that under collective bargaining, it says if you are put in this position, you are going to get this extra \$5,000. He said the Mayor does not have anyone in this position and he has the right to take someone out of that position. Cncl. Pres. DiLucia clarified that his concern is not with collective bargaining, but with purging all inactive titles, not just this one. Cncl. Marino noted that he would like the Solicitor to review this matter. **Cncl. McIlvaine** agreed with Cncl. Pres. DiLucia with reviewing and removing all inactive titles. **Cncl. Heffner** asked if we are going to do away with the position and that person was getting paid to do that job, they are no longer doing that job, but we have one or two other people who are doing the job, are they being compensated for it. **Human Resources Coordinator, Christine Scola** and **Mayor Teefy** answered, "no". Cncl. Heffner asked why it does not and Mr. Heydel said it is because it all falls

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under the job description of Code Enforcement, dealing with violations. Cncl. Heffner asked how this pertains to the Tax Collector's Office, asking if they do any work for this program, to which Mr. Heydel said they don't and what we have done with that is Mrs. Flaherty will send an email to the Tax Collector's Office, flag the account before any action is taken and say they need to contact the Zoning Office and that is all they need to put on the tax record. Cncl. Marino asked if there is a policy in place for the work of abandoned houses. Mr. Heydel said he wrote a work-flow procedure that he presented to the Mayor and will send to Council. Cncl. Marino asked Mr. Heydel to provide more information and this matter will be discussed again.

Cncl. McIlvaine spoke in reference to the Municipal Clerk, retiring in the near future. He said he wanted to bring this matter up at a Council Meeting, so that he was not doing it without their knowledge. He said this is a very important position, we do not want to delay it any longer and does not think we have a lot of time left. He has not received an exact date of retirement and if it was up to him, he would have started while he was still Council President, but things happened and we did not do that. He feels that it is going to be hard-pressed to fill this position and we are going to have to look long and hard, and he does not want to delay it any longer. He said this person is going to have big shoes to fill and he does not know that there is that many people out there who can even fill the position, let alone do it as well as this person. **Mayor Teefy** asked **Human Resources Coordinator, Christine Scola** if this is a non-competitive position, to which she said this position is voted on by Council. Cncl. McIlvaine addressed **Cncl. Pres. DiLucia** since he is President of Council, to which he said he has had ongoing discussions with the Municipal Clerk in reference to personal matters and does not feel like it is an immediate concern and feels the Municipal Clerk will give ample notice, so we will be able to get a head of the curve. Cncl. Pres. DiLucia said that he thinks we need to be cautious because the progression is Deputy Municipal Clerk, who was in attendance at the meeting. **Mr. Heydel** said someone is going to be hard to find because Municipal Clerks are a dying breed, to which **Cncl. Miller** said there is a few in the area.

G.) OLD BUSINESS

Old business matters were not discussed.

H.) ADJOURNMENT

With nothing further to discuss **Cncl. Miller** made a motion to adjourn the Ordinance Committee Meeting of March 14, 2018. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

Respectfully submitted,



Deputy Municipal Clerk, Aileen Chiselko



Presiding Officer

