

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
APRIL 4, 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. Pres. Rich DiLucia led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Marvin Dilks		Excused
Cncl. Rich DiLucia	Present	
Cncl. Ron Garbowski	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller		Excused
Ord. Chairman, Cncl. Joe Marino	Present	
Solicitor, Teresa Lentini	Present	
Business Administrator, Kevin Heydel	Present (7:09pm)	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Parks & Recreation, Jim Bonder	Present	
Chief of Police, John McKeown	Present	
Deputy Municipal Clerk, Aileen Chiselko	Present	

B.) PUBLIC PORTION

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

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C.) ORDINANCES FOR REVIEW

Cncl. Marino noted the following Draft Ordinances were being removed from the agenda: Chapter 107 “Charities” and Chapter 104 “Buildings”

- **Chapter 65 Personnel Policies – “Sick Leave”, “Vacation”, “Personal Leave”**

Business Administrator, Kevin Heydel explained that he, as requested by Council, sent letters to the collective bargaining units for the employees of Monroe Township in reference to amending the policy on use of sick, vacation and personal time. He did not receive any replies back. He explained his reason for the request in changing the policy on using sick, vacation and personal time. The Ordinance currently reflects that an employee has to take a minimum of an hour for personal leave, a minimum of an hour for sick leave, and a minimum of 4 hours for vacation leave. The time management system rounds to .25 of an hour when an employee clocks in/out. He explained if an employee plans to take half a vacation day, but ends up getting hung up in the office, works five hours instead of four hours, when they clock out, the system will give them an hour of overtime. In a case like this, if the policy of use of time is changed, an employee can use what they need in vacation time instead of being limited to only being able to use four hours. **Cncl. Pres. DiLucia** clarified it will be actual time worked plus the vacation time needed to equal the eight hours. Mr. Heydel said he has noticed it in the time management system that an employee’s time had gone over the eight hours with the use of vacation, sick or personal time and has been able to fix it in the system. He gave another example that if an employee has to leave a half an hour before the end of their work day because they are sick, they have to use an hour of sick time and get paid a half an hour of overtime. **Cncl. Pres. DiLucia** said he does not have a problem with the changes if Mr. Heydel is comfortable with the changes, but he feels it opens up the possibility we are compounding the number of days; as an extreme example, in one day there can be thirty-two occasions. He said an employee can use .25 of an hour for the next thirty-two days and Mr. Heydel said if that was the case, they would have to ask for a doctor’s note. Mr. Heydel does not feel it disrupts a department’s day of work, it gives the supervisors more flexibility with employees and does not tie their hands. **Cncl. McIlvaine** asked for the input of two supervisors who were in attendance of the meeting. **Police Chief McKeown** said the Police Department has been doing the exact same thing with comp time for years, allowing the employees to use in small increments. **Cncl. Heffner** expressed his concern with employees in the Parks & Recreation Department and Road Department who do not work in an office, cannot just get up and leave, and have someone take their place; he asked how work will be scheduled if they want to clock in late or clock out early. He is trying to figure out, when there is limited man-power, how this is going to help. Mr. Heydel said the employee would have to go to their Supervisor to get permission for coming in late or leaving early, they do not just walk off the job anytime they want. **Mr. Heydel** reiterated this change in policy gives both the employee and Supervisor more flexibility. **Dir. of Parks & Recreation, Jim Bonder** feels that it gives the employee more flexibility, not the Supervisor. Mr. Heydel did not agree and said it does, because for vacation time, maybe they want two hours to use instead of four, so it does give more flexibility. Chief McKeown said the one thing he probably will not change is with a rule the Police Department has had in place for a while, which is in reference to blocking off vacation days in the beginning of the year for the rest of the year. Mr. Heydel clarified this is not

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C.) ORDINANCES FOR REVIEW (cont'd)

for an employee to continuously come into work late and use sick, vacation or personal time in small increments to make-up for it, but if an employee has made an uncommon lateness that could not be foreseen to advise their Supervisor, the Supervisor can allow them to use sick, vacation or personal time to make-up for an eight-hour day. Mr. Heydel said the current policy on use of time was enforced many years ago when employees' times were being documented in writing on paper time sheets and it was easier when recording manually, to do it in blocks of hours. Now there is a time management system for clocking in and out and everything is controlled and automated. **Mr. Bondor** clarified that the intent is with notice from the employee to the Supervisor, which **Mr. Heydel** confirmed and **Cncl. Marino** clarified it would still be Supervisor-approved. **Cncl. McIlvaine** questioned another part of the policy, referencing all full-time employees will get fifteen sick days per year. He said he does not recall getting fifteen sick days when he was a police officer, he had gotten twelve days. Mr. Heydel said it was grieved and they now have fifteen days. Cncl. McIlvaine said he thought the only people that got it was the Police Department. Mr. Heydel said the Police Department grieved it and it was changed. Cncl. McIlvaine said he wanted to make sure everything was correct in the policy. **Cncl. Pres. DiLucia** asked for clarification on how many days an employee receives. Mr. Heydel explained a new employee receives one day per month in the year they start and afterward they receive fifteen days. For an example, if an employee starts in October, they receive one day a month for three months and in January receives fifteen days for the year. Cncl. McIlvaine read aloud the policy, referencing that during the first calendar year of employment, employees will earn one paid sick day per month of service. **Cncl. Marino** asked Mr. Heydel if the Supervisors weighed-in on this policy change. Mr. Heydel said he sent this suggested change in policy to each of the associations, they are all aware of it and he did not receive any feedback.

Cncl. Garbowski made a motion to move the Ordinance forward for First Reading at the April 9, 2018 Council Meeting. The motion was seconded by **Cncl. Pres. DiLucia** and unanimously approved by members of Council in attendance.

D.) MATTERS FOR DISCUSSION

Cncl. Marino noted the following Draft Ordinances were being removed from the agenda: Chapter 230 "Peddling and Soliciting", Chapter 74-27 "Fees" – Peddling and Soliciting (Chapter 230) and Chapter 175 "Land Management" – Article XI "Guarantees, Inspections, Acceptance of Improvements" (MLUL Amendments)

- **Use of Developer Funds from Parks & Recreation for Dog Park**

Business Administrator, Kevin Heydel explained a grant in the amount of \$780,000 was received for the Genova property. It had certain exclusions for work that is not included under the grant. He has asked the engineers, Adams, Rehmann & Heggan, if they could provide a list of costs for the entire site, not just the dog park. These costs exceed what is in the Developer's Funds. Mr. Heydel is requesting to re-appropriate some of these funds and

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D.) MATTERS FOR DISCUSSION (cont'd)

explained it is customary that Administration approaches Council for any request to use Developer's Funds. He further explained Trust accounts do not require the authorization of Council, however, it does for the Developer's Funds. He would like to take \$50,000 and move it out of Developer's Funds to give Administration some discretion to offset some costs when we start to do this project as well as the project for a concession stand at the house on the Mary Mazza Duffy Park. For the concession stand project, there is an invoice from the architect in the amount of \$6,600 for architectural rendering in the house for the concession stand. Mr. Heydel said he does not have any money available to do any other project or to offset anything that is going to come about for the Genova property as we move forward on the dog park for expenses not covered by the grant. **Mr. Heydel** clarified this money will not be irresponsibly spent, it will be money available in order to move forward with projects without waiting for request and authorization from Council when projects need to be done. **Cncl. Pres. DiLucia** said he understands the Developer's Funds are to be exclusively used for recreational purposes, to which Mr. Heydel confirmed he is correct. Cncl. Pres. DiLucia said it has been four years since the start of the dog park project and understands there are phases. He asked for a report on how much it has cost so far on this project, before Council approves this request. He said there has not been a shovel in the ground or a blueprint from Council to look at, but for four years, this project has been working on. Mr. Heydel said there has been costs associated to design and alterations to the design, application fees, and fees on a study that was performed. He will give Council a breakdown of costs to date on this project. **Cncl. Marino** asked about \$80,000 for a Pineland application and Mr. Heydel explained that was a specific contract for ARH for this design work, which also is not covered under the grant from the Green Acres Program. Cncl. Pres. DiLucia clarified this is his concern, that there is \$780,000 and half of it is free money and the other half we have to pay for it, we are four years into the project, and wonders what this project is going to cost in the end. He would like to know how much the costs are going to be going forward from ARH. Mr. Heydel said if our portion is going to be more than \$200,000, it is going to be a project costing more than \$1 million. Cncl. Pres. DiLucia asked why it has taken four years so far. Mr. Heydel said he will gather the information, but the information is probably in the Engineer's Report they give for every Council Meeting. Cncl. Pres. DiLucia said the reports from the engineers in reference to the dog park reads "no update". **Dir. of Parks & Recreation, Jim Bonder** asked if \$80,000 has been taken out of the \$195,909 that is in the Developer's Fund, to which Mr. Heydel confirmed that is correct and after the \$50,000 there will be approximately \$145,000 leftover in the Fund and it will not be replenished. Mr. Bonder said the \$145,000 can be depleted rather quickly, because Mr. Heydel said there are things that are not covered with construction and engineering costs. Cncl. Pres. DiLucia reiterated he wants the final cost and said we knew when we first got involved with the project that the grant would cover everything except engineering fees. Four years later, engineering fees and construction costs are higher and we only have a conceptual plan and was told we would continually be updated on, but has not seen another blueprint since. He said before we allocate any more money, he would like to see what other costs will be. **Cncl. Marino** questioned Mr. Heydel about other costs of the dog park besides the design. He wants to know what is slowing it down, and if we are going to be at or above the grant limit, we do not know if we can afford all the other designs that is not being done yet. Mr. Heydel agreed and said he does not know exactly

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D.) MATTERS FOR DISCUSSION (cont'd)

what the first design encompasses, but it probably encompasses the dog park, roadway, a well for water, parking and the rest of the site will probably be passive recreation. **Cncl. Pres. DiLucia** said there is supposed to be a small-dog park and a large-dog park to segregate the dogs and a separate leisure park that would include benches for people. He said there is also a conceptual plan for possibly including a fieldhouse for when we receive more funds in the future. **Mr. Heydel** clarified there will not be a fieldhouse on that property. **Cncl. Marino** asked if this project could have been done in phases. Mr. Heydel responded by saying he will speak with ARH so that he can be more prepared with information and present it to Council. Cncl. Marino asked **Dir. of Parks & Recreation, Jim Bonder** if he has any budgetary amounts for the concession stand at Mary Mazza Duffy Park. He did not have the information at this time, but it will come along with the fees from the engineering company. He wants to get this information over the next four or five months, so he can start procuring donations. The only way he sees the concession stand getting done is through donations and employees in his department working on it during Winter or rainy days. He does not see this as something that will be subbed out or going out to bid. Cncl. Marino asked what kind of costs he is anticipating on the architecture, to which the response was \$6,600. Mr. Bonder would like to approach businesses for donations to complete this project. Mr. Heydel said he does not have \$6,600. Cncl. Marino listed a breakdown on the costs, which included \$6,600 for design for the concession stand and \$5,600-\$7,600 for the Pinelands application for the dog park. Mr. Heydel said he has already encumbered and paid for the Pinelands application from the Developer's Funds because it was the only place he could do it at the time, otherwise he would be waiting another month or longer to get the application in. He reiterated it is customary to come to Council anytime we need to use the Developer's Funds, but from a technical standpoint, Administration is not required to get Council's authorization out of a Trust Fund that is setup through a Chapter 159. **Cncl. Pres. DiLucia** asked Mr. Heydel if they agree to re-appropriate the funds, and if it is not used, if it can be put back, to which Mr. Heydel confirmed that is correct. **Cncl. Heffner** asked what is included in the cost of \$6,600 for architecture of the concession stand. Cncl. Marino said it probably includes outlets, lighting, HVAC, mechanical/electrical/plumbing and design of floor plans. Mr. Bonder said the project is going to be kept simple. He said this will be the first concession stand the Township will be managing, employees will be hired, revenue will be brought in and the funds will be put back into the fields. He would like for the concession stand to be ready by Spring. Mr. Heydel confirmed and explained to Council that an Ordinance needs to be done for the transfer of this money. The Solicitor's office will create an Ordinance to move forward for First Reading at the April 9, 2018 Council Meeting.

- **Capital Program 2018-2023**

Business Administrator, Kevin Heydel discussed the Capital Plan he provided to Council that includes budget projections through 2023. He said there was a meeting with the Public Safety Committee and the Public Works Department and it was determined what the needs were going to be. He noted, in 2017 we estimated 2018 to be \$6,816,000, but things have changed and it is now \$7 million. He noted the big ticket items are \$2.3 million for the construction of the Cecil Fire Station, \$2 million for the Williamstown Fire Station and \$720,000

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D.) MATTERS FOR DISCUSSION (cont'd)

for a pumper rescue truck for the Williamstown Fire Company. Mr. Heydel explained the fire company is going to trade in both the rescue and pumper and going to get a combined vehicle. **Cncl. Garbowski** asked if they are going to have the space to house the pumper before the renovations are finished, asking if the size of the bays will have to be increased. **Cncl. Heffner** said this truck will not be much bigger. **Cncl. Marino** asked **Dir. of Public Safety, Jim Smart** if the old trucks will be sold. He said they usually try to barter with the vendor to take as a trade-in, but he will have to wait and find out because one truck is a '92 and one truck is a '93. **Cncl. Pres. DiLucia** asked if there was room in the bays of the station on Route 322/Glassboro Road to store old trucks that still have some use/value in them. There are other trucks stored at this station. Mr. Smart continued with speaking about the condition of the old trucks. **Mr. Heydel** noted, in 2017, we estimated 2018 to be \$40,000 for improvements on various municipal owned buildings, but it is now \$240,000, because a new roof is needed on the Pfeiffer Community Center building, a new roof is needed on the DiNovi building, money is needed for the Police Department juvenile holding and windows need to be replaced in the Municipal Building. **Cncl. Marino** asked about the radios/repeaters needed and Mr. Heydel confirmed it is in the line item for office communication equipment and radio equipment. **Mr. Heydel** said the amount of \$1.2 million for the Road Program was reduced to \$1 million. The amount of \$275,000 for the Automated Trash Truck was reduced to \$175,000, which the \$100,000 will be charged to the Recycling grant. Mr. Heydel mentioned there were major changes to EMS line items due to doing remounts on some trucks, not needing 6 ambulances and having 5 ambulances instead. He noted in future years, they will have to get new ambulances instead of continuing with remounting. Mr. Heydel informed Council that the plan is \$7 million, \$350,000 was put down as the required 5% down payment and requested a Bond Ordinance be prepared for 1st Reading for the Council Meeting of April 9, 2018.

Cncl. Marino asked if bids were received for the Road Program. Mr. Heydel informed that Arawak Paving Co. submitted the lowest bid, but their calculations were incorrect, bidding \$200,000 less than the next lowest bidder, so they pulled their bid. He said South State will be awarded with the bid of \$882,000, but he needs to review the budget to cover the cost. **Cncl. Heffner** said the bid is approximately \$900,000 for three phases of the project and asked where the grant of \$380,000 is. Mr. Heydel said that money will be provided later, it is not a part of this and will be the second phase of Forest Drive and explained it was initially a part of the third year and is now being moved to the second year. Mr. Heydel stated he was not sure at this time of how much more money is needed to certify funds for First Reading. **Cncl. Pres. DiLucia** questioned if it would be in our best interest to re-bid this project. Mr. Heydel said he can ask Engineer Kathryn Cornforth that question. **Cncl. Pres. DiLucia** said maybe they will still come in as the lowest bidder, maybe not \$200,000 less, but still have the lowest bid. **Cncl. Garbowski** said maybe we will get a better price on the second bid. **Cncl. Marino** confirmed if this was a re-bid for everyone. **Cncl. Pres. DiLucia** said he does not think it would hurt and Mr. Heydel said it would delay the project. **Cncl. Pres. DiLucia** suggested if rebidding saves money, then maybe it would not matter if the project is delayed for a short amount of time. He also mentioned it might make the other bidders who did not get the bid, more aggressive. **Cncl. Marino** and Mr. Heydel agreed this project needs to not be delayed too long. Mr. Heydel will

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take a look at some Trust donation monies to help cover this project. He reiterated that he will speak with Mrs. Cornforth about rebidding this project and will inform Council of the decision. He also suggested asking ARH if they can lower their contract of \$46,000 in half and then award the other half of their contract after the Second Reading, which will be in May.

E.) NEW BUSINESS

Cncl. Heffner would like the Solicitor to look at nepotism policies other municipalities have in place. He said the wording in our Ordinance for hiring of family members, specifically the word “cousins”, is vague when it comes to hiring people in this town. He thinks it needs to be looked at and updated. **Business Administrator, Kevin Heydel** agreed and thinks it should be more of an “immediate” type of relationship or people that live in the same household. **Cncl. Marino** noted the Solicitor had reviewed the Ordinance, advised it was fine and it addressed everything it needed to. **Cncl. Heffner** said the Ordinance does not specify the extent of a “cousin”, if it is “first cousin”, “second cousin”, etc. He feels the description of relationships needs to be more specific.

Cncl. Marino addressed **Police Chief McKeown** in reference to bicycles that are collected by the Police Department and asked if a Resolution has been created in the past to donate unclaimed bicycles. **Mr. Heydel** said we have sold them at Township auctions. Chief McKeown expressed his concern with donating the bicycles due to liability if someone is hurt from a donated bicycle or other item. **Cncl. Marino** feels it is worth looking into the legality of donating functional unclaimed bicycles after the period of time the Police Department is required to store them, and would like the Solicitor to create a Resolution for a future Council Meeting.

Dir. of Parks & Recreation, Jim Bonder mentioned Little League postponed their Opening Day for April 13, 2018.

F.) OLD BUSINESS

Dir. of Public Safety, Jim Smart reported there are trees on Malaga Road, near Corkery Lane, that are hanging over the road on the electrical wires, urging we have Verizon take care of this matter. **Cncl. McIlvaine** said the New Jersey Board of Public Utilities needs to be contacted.

G.) ADJOURNMENT

With nothing further to discuss **Cncl. Garbowski** made a motion to adjourn the Ordinance Committee Meeting of April 4, 2018. The motion was seconded by **Cncl. McIlvaine** and unanimously approved by all members of Council in attendance.

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Respectfully submitted,

Aileen Chiselko
Deputy Municipal Clerk, Aileen Chiselko

Joe Maurio
Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand written notes taken during the Ordinance Committee Meeting of April 4, 2018 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted *ARC* Date *6/7/18*
Approved as corrected _____ Date _____