

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
OCTOBER 3, 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. DiLucia 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		Excused
Ord. Chairman, Cncl. Joe Marino	Present	
Mayor Daniel Teefy	Present	
Solicitor, Theresa Lentini	Present	
Business Administrator, Kevin Heydel	Present	
Dir. of Parks & Recreation, Jim Bonder	Present	
Chief of Police, John McKeown	Present	
Planner, J. Timothy Kernan	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. Dilks** 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. Pres. DiLucia** and unanimously approved by all members of Council in attendance.

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C.) ORDINANCES FOR REVIEW

- Chapter 104 “Buildings” – Article III Disposal of Construction Debris – Dumpsters

Solicitor Lentini explained what was amended in the Draft Ordinance. Instead of “in the opinion of the Construction Code Official and/or his designee”, it is now a requirement that a permit shall be required for construction or household debris. She also explained limitations were revised to reflect that dumpsters cannot be located within 10 feet of a property line, and if it is going to be within 10 feet of a residential property line, a consent must be obtained by the Zoning Officer, and may only be present for a period of 30 days. Ms. Lentini said there is no permit fee for a dumpster for household items or property debris if it is a residential property, even though a Construction Permit is required, however, there is a flat fee of \$20 when a Construction Permit is required. She noted, “Director of Code Enforcement” was changed to “Zoning Officer”. Ms. Lentini explained this Ordinance was cleaned-up and does not impose a lot on residential households, unless there is construction activity, which would cost an additional \$20 for the Dumpster Permit. She also mentioned the section for violations and penalties. The fine for a violation is \$100 and each day of said violation shall be considered to be a separate violation. Ms. Lentini clarified, when there is a continuing violation, we need to be careful that we do not violate procedural due process, because the Township will be sued. In order to not do that, she said a violator needs to be given notice. If someone is going to be fined with a penalty, we want to make sure they receive the notice and are aware of it. In this notice, it should be clearly stated that it is a continuing penalty of \$100 per day. Ms. Lentini said, if we want her office to review a Notice of Penalty form we have, or do not have one made, they will review it or prepare one that could be served on the person to make sure we do not violate anyone’s constitutionally protected rights. She also suggested that when the Construction Code Official issues their notices of penalties, they are also continuing, we cannot just let it sit out there. Neither the Construction Code Official nor the Zoning Officer can issue someone something saying we are going to penalize them every single day and let it sit around for a long period of time without enforcing the penalty. Ms. Lentini advised, if we issue a penalty, then it must be followed-up, the penalty enforced, and it does not sit around. **Cncl. Marino** asked if we need to mail the letters via certified mail. Ms. Lentini explained, the letters are to be mailed by regular mail and certified mail and the violation should be addressed as soon as possible, especially since the violation in a continuing penalty for each day a person is in violation. After some discussion, Ms. Lentini suggested revising the violation and the continuing penalty for each day in violation. She suggested language that would require a certain amount of days a person has to remove a dumpster that is in violation. **Cncl. Marino** suggested a flat rate violation, which would make it easier for the Township to manage. Ms. Lentini agreed it would make it easier to manage and that it would avoid a lot of the constitutional violation issues. She said she can also provide a sample violation notice letter the Township can use.

D.) MATTERS FOR DISCUSSION

- Chapter 175-130 “Land Management” – Resource Extraction

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D.) MATTERS FOR DISCUSSION (cont'd)

Planner, J. Timothy Kernan introduced Sean Earlen, the Vice President of The Silvi Group, who was invited by Dir. of Comm. Dev./Code Enf., Rosemary Flaherty to attend the meeting. Mr. Kernan explained, The Silvi Group holds mining permits in the Township for properties they own, and a previous employee of The Silvi Group reached out to him eight years ago when we were working on an amendment to the FD40 Zone, which would allow an expansion of an existing mining operation. However, it never made it all the way through with the Pinelands Commission for certification and now Mr. Earlen is asking the Township to restart the process. Mr. Kernan said he spoke with Sue Grogan from the Pinelands Commission and she recalled the exchange and confirmed we could look at allowing expansions of existing mining operations, however, she did not say what the conditions would be for an expansion. **Cncl. Marino** recommended having that information before moving forward and clarified Mr. Kernan was in attendance to inform the Committee on this matter. **Cncl. Dilks** asked about the location of the mining property being discussed for an expansion. Mr. Earlen explained it is one of two properties they own in the Township, this one being at the intersection of Jackson Road and Piney Hollow Road and is approximately 240 acres. The other property in the Township is located at the intersection of Blue Bell Road and Coles Mill Road. Mr. Earlen offered more information on the matter of expansion. He said this site was originally permitted in 2007, before the 2010 Master Plan Re-examination and re-zoning. He explained they are asking for the change to relate to this zone, they are the only mining operation in the forest district and regulations do not allow new mining sites to commence in the forest district, so it is not a large scale change, it is only going to affect their site, affecting three small out parcels they own at the site they acquired after 2010, which is approximately 8-10 acres of expansion. Mr. Earlen said it would make the site efficient and easier to mine. He is not asking to change any of the wetlands buffers nor any buffers that have property lines or streets. **Cncl. McIlvaine** clarified there is currently no means for them to obtain expansion permits through the Township. Mr. Earlen said The Silvi Group had thought the Ordinance was changed in 2010, as Mr. Kernan had described. In the last permit renewal, the three small parcels were included and got kicked back, because the Ordinance did not allow for this; it was brought to their attention and this is why they are now addressing this matter. **Cncl. McIlvaine** asked, if we do make this decision, it will still have to go before the Pinelands and they will have to approve anything the Township does. Mr. Earlen explained the process, that the Township submits the language to the Pinelands, they give us feedback, once we approve it, it goes back to the Pinelands for re-approval and then we finalize the Ordinance. **Cncl. McIlvaine** said he was not talking about the Ordinance and clarified he meant that if the Township gives approval of the expansion of the operation, the Pinelands would still have to approve it as well. Mr. Earlen said their mining permit is with the Township and the Pinelands Commission as well. **Cncl. Heffner** asked where the location of the three parcels were and confirmed the clearing-out of the site would mean digging closer to Jackson Road. **Cncl. Marino** asked, if permission was given, how far it would expand the mining operation. Mr. Earlen explained, pointing out on a map, they would have to keep 500' from structure. **Cncl. Dilks** asked how far they mine, to which Mr. Earlen replied they mine 65' below ground water. **Cncl. Dilks** said he had a concern with the wells going dry. **Solicitor Lentini** explained that the Ordinance Committee is being asked to address the language in the Ordinance, because the

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Municipality has the power, under the Administrative Code, to authorize an expansion/continuation of existing. She clarified this does not mean The Silvi Group is going to get what they want, that there can be an expansion, there will still be a separate entire process in order to accomplish this after the language in the Ordinance is addressed. Mr. Earlen explained, before the Zoning was changed, the previous Zoning did allow for expansion of the mining operation at that time. He also clarified there are currently three monitoring wells on the sites and explained the wet process they use. **Cncl. Marino** polled Council on moving this matter forward for a Draft Ordinance at the Ordinance Committee Meeting of November 8, 2018. **Cncl. Heffner** did not agree and **Cncl. McIlvaine** said he did not have an issue with it, providing that everything that was required of The Silvi Group in the original permit has been taken care of. Mr. Earlen said a letter can be provided from the Township Engineer to confirm everything has been taken care of from the original permit. **Mr. Kernan** clarified they will need some language from the Pinelands, which he will get from Sue Grogan next week. **Cncl. Dilks** asked about the operations working hours, is there a start, stop or is it around the clock. Mr. Earlen believes that the hours are between 6am and 6pm, with reduced hours on Saturday and no hours on Sundays. **Solicitor Lentini** questioned what language that he is looking for from the Pinelands and asked if Mr. Kernan would be able to get an update from Sue Grogan. Mr. Kernan advised that Sue Grogan said she will work with the Township and he will talk to her at their meeting the following week.

• **Chapter 280 “Animal Control” – Animal Cruelty Enforcement**

Police Chief, John McKeown advised, earlier in the year, the State changed the law essentially eliminating the enforcement authority from the SPCA. The SPCA used to handle all criminal enforcement, however, the State gave that responsibility to the municipalities. He believes, however, when he presented this to Council earlier this year, a resolution was done to appoint Detective Jules Maiorano as Humane Law Enforcement Officer for the Township. In the meantime, some clarifying information has come out that we have a County Solicitor, who is in charge of animal control and spoke specifically at the Chief’s meeting. He said, in order for them to keep doing what they have been doing, we need to change the Ordinance, and he provided sample language. If we do not change the Ordinance and leave it the way it is, 100% of enforcement on all private property falls on the Municipality. For example, last year, the Township had approximately 63 animal complaints, which 1 was criminal, and the rest were nuisance, education and animal wellbeing, which are certainly well within the training and experience of the Gloucester County Animal Control Officers. Chief McKeown said, the language within the draft Ordinance that the Solicitor provided, seems to be able to accomplish all those goals to allow us to focus on the serious crimes and prosecution of animal cruelty and let the animal control officers still be the ones to handle the minor nuisance complaints and general animal wellbeing. **Solicitor Lentini** confirmed that Solicitor Stephen Boraske had prepared the draft Ordinance to comply with the statute and incorporate all 6 terms that were listed. In order for the local authority to assist, it allows for appointment, training and updates the Ordinance so that it complies. Chief McKeown stated, what they are trying to avoid, is to

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have a police officer respond to every animal call; they will still respond, however, he does not want the officers tied up, especially since we have to put an officer on call 365 days a year to handle very minor situations when Gloucester County Animal Control has a whole team of people that do all of that for us and still house the animals. Otherwise, we will be responsible to house the animals that are in violation, which will be quite cumbersome and costly. **Solicitor Lentini** said that they added the new definition and the Municipal Humane Law Enforcement Officer specifically putting in the statute that will address and avoid the problems of putting it on the police officers to respond. **Cncl. Marino** polled the members of Council in attendance and all were in favor of moving the Ordinance forward. **Deputy Clerk, Aileen Chiselko** advised that this is a Board of Health Ordinance and that we need to advise Vicki Machulsky, Board of Health Secretary, that Council is in favor of this Ordinance.

- **Chapter 69 "Police, Division of" – Article III Private and Quasi-Public Functions - Compensation of Township/Officers**

Police Chief, John McKeown stated, this has been an ongoing conversation over the past year. In the past, when our rates went too low compared to the overtime rate of officers, we had trouble filling certain jobs; this is one of the reasons that we have increased the church and school rates. We had a tough time filling those and were forced to put officers out there at a time and a half rate at a public safety issue. Chief McKeown and the MTBOA has polled other agencies, and what they are asking for is in the ballpark. Some towns are paying straight time and a half rate, no matter what the rate of the officer is, however, most of the towns have a fixed rate. Some of the fixed rates are the same for all jobs, some towns have 2 tiers, such as the proposed Ordinance. There was a lowered cost for jersey schools and a higher cost for all other jobs. He has only encountered one other town that breaks it into 3 tiers. What Monroe is doing is pretty consistent with how it used to be structured and we can certainly handle that structure. **Cncl. Marino** stated, one of the big things he saw was the cancellation policy that was not in there before. Chief McKeown confirmed that the cancellation policy was not in there before and the vendors would cancel an hour before. He said that it all falls on the Patrol Duty Commander and it leaves the Patrol Commander in an awkward position, as he would be firmly negotiating with the vendor. He said, we try to work with the vendors, however, sometimes we get a call at 4:00pm saying that officers are needed the next morning for a road work project; this is not very practical asking the officers to change their schedules on such short notice. He feels this language will put the vendors on notice with the requirements up front, in a manner that is firm and fair and would also be consistent with the officers' contract as they receive a 3 hour minimum call-in rate. **Cncl. Marino** feels that a 1 hour prior to cancellation is more than fair. **Cncl. McIlvaine** asked if the schools and churches were mentioned along with the Rotary, Masons and the Kiwanis. He feels, they should be included in the verbage, as part of the \$55 fee. **Lt. James DeHart** clarified, the way the Ordinance is written, they would be protected, even if they are part of the \$75 fee. He said, the administrative fees are broken down in two ways, that does not always get shared with the vendor; there is a \$10 administrative fee for processing and a \$15 fee for a car-assigned function. He is not sure how they want to break it

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down and we will need them to prove a 501c3 non-profit status. He does not feel that the officers would have a problem with it, however, it will be more of an administrative nightmare. **Cncl. McIlvaine** stated that he does not want a non-profit organization to have to pay the \$75 an hour fee. He said, if they are trying to raise money and to have to spend money for 4 or 5 officers, it will get quite expensive. He feels that it should be as minimal fee as possible for the non-profit organizations, churches and schools. **Police Chief McKeown** mentioned the Huddle Club, as it is an organization created by the school, it is not the school, and they are charged the same fee. He said, they are one of the few vendors that he can think of that are not actually a school or church, but raise money for a private fund. **Cncl. McIlvaine** asked if they can be listed as a legal non-profit. **Solicitor Lentini** stated that at this point, non-profit is only listed as churches and schools, however, they can change it to state that churches, schools and non-profit entities would have to be registered. **Lt. James DeHart** and **Chief McKeown** feel this would be fair. **Cncl. Heffner** noted, after speaking with various Police Departments over the course of the past summer, he feels what our Police Department is asking for is well within the wheelhouse of the other departments within South Jersey. **Solicitor Lentini** questioned how far in advance the vendors would need to make a request, and if it is something that would be manageable, or is it something that should be added into the Ordinance. **Chief McKeown** expressed his concern regarding the emergency contract work, saying that it happens all of the time and they handle it the best they can. He said the vendors are required to provide a traffic safety control plan, and if the department does not receive the plan in a timely fashion, it creates delays. He feels that it would be beneficial to have more than a 4:00pm notice for an 8:00am job, and a 24 hour notice for non-emergent would be the minimum. He questioned the members who work in construction, from a job site standpoint, what would be a reasonable amount of time. **Cncl. Dilks** said, in his experience, you work on the schedule, however, with weather delays and such, you are forced to switch gears and switch jobs which does not always allow the flexibility, to which **Cncl. McIlvaine** agreed. **Cncl. Marino** polled the members of Council in attendance and all were in favor of moving the Ordinance forward for First Reading, with the addition of the non-profit language, at the Regular Council Meeting of October 8, 2018.

- **Chapter 230 "Peddling and Soliciting"**

Solicitor Lentini explained the changes that were made. It now states in the Draft Ordinance, that it is no longer permitted to solicit between the hours of sunset and 9:00am, and instead of stating between 9:00am and 5:00pm, Monday through Saturday, it now states that you cannot solicit "7 days a week from sunset to 9:00am". She said that in December, no one will be out after 4:30pm and in the summer they are able to solicit up until 9:00pm, if they choose. She said, if an application is required, the Zoning Officer would have to approve it; language had been added and if something further is required, the Zoning Officer will direct them to go before the Land Use Board. She said, it specifically gives the Zoning Officer power within the Ordinance. **Ms. Lentini** stated, the language will make it clear that once an application is completed, the Police Chief will conduct a criminal background check, and all of the reasons

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why the Township can deny granting a permit to solicit, will be listed. She said, there are several reasons for denial to solicit, and a couple of those reasons are very broad, including sex offenders, any conviction for fraud, they have a record of breaching a solicitation contract, they have previously violated other Ordinances, or have falsified any information. **Solicitor Lentini** stated, the updated language will give a lot of latitude to make sure that everyone who is applying needs to comply, and it will give the Township and the Police Chief the power to deny. She said, the procedure has been made clear with regard to what steps can be taken if the application is denied and what steps are available for appeal. **Deputy Clerk, Aileen Chiselko** questioned a section of the Peddling and Soliciting application which states that veterans and other businesses are exempt, asking if this will need to be addressed in Chapter 230-4 and Chapter 230-9 regarding inclusions and exceptions with regards to the fees. **Solicitor Lentini** will have Solicitor Boraske address this, however, the exempt applicants are still required to comply with everything else in the Ordinance, even if they are exempt from the fees. She said it reads that persons honorably discharged from the military are exempt, she along with firemen belonging to a volunteer fire department and residents of Monroe Township who are engaged in home-based businesses. Mrs. Chiselko noted that in Chapter 230-4, it states the fees shall be applied. Solicitor Lentini clarified that they are expressly exempt from this application. Mrs. Chiselko stated that we will need to add "local businesses" and not just "home-based businesses". **Cncl. Marino** stated that if they are a legal business operating in the Township, then they should be exempt from the fee. Solicitor Lentini will have that added in the language under every category where it applies. Mrs. Chiselko said, in Chapter 230-9, it does not state that veterans require a background check, so this needs to be added. She said veterans are required to obtain a background check and at this time it only states that they just need to notify the Township of who they are, where they are going and what day but, it does not state that they need to have a background check. She gave an example; if the Boys Scouts want to collect canned food and go door to door, they just tell the Police Department where they are going and when, but they do not complete an application and they do not pay. **Police Chief John McKeown** confirmed that is correct, it is nothing more than a notice for specific groups. Mrs. Chiselko asked if it is as simple as just changing the application or would we have to change the Ordinance. Solicitor Lentini stated that we would have to remove veterans from Chapter 230-9. She asked for clarification on the intent of having the Boy Scouts, Girl Scouts or church organizations just give notice and asked if we want to have background checks on every person. She said that they will replace the language to state "veteran organization" instead of "veterans", and it will need to be listed on the application that veteran organizations will be exempt from all fees, however, they must comply with all of the provisions of the Ordinance, specifically Chapter 230-9. **Business Administrator, Kevin Heydel** stated that it should be listed as a Chartered Veterans Organization. **Cncl. Marino** suggested that Solicitor Lentini and Solicitor Boraske review the entire application as some of it does not apply to an individual applying, versus an organization. He suggested possibly simplifying the form and putting it back on the agenda for the next meeting for further review and discussion.

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D.) MATTERS FOR DISCUSSION (cont'd)

• **Chapter 74 "Fees"**

Cncl. Marino stated that department heads have reviewed their fees and submitted their recommendations, which **Deputy Clerk, Aileen Chiselko**, has included in the meeting packet. He then introduced **Director of Parks and Recreation, Jim Bonder** to speak on his recommendations. **Cncl. Marino** expressed his concern regarding, not just the Music Festival, but also the Main Street Arts Festival. He asked if both events will be in line with the fees that are listed in the Fee Ordinance. **Mr. Bonder** stated that he cannot speak for the Main Street Committee as he does not know what their fees are, what they have done and why they have come to their decision to do what they do. He did confirm that after his previous conversation with **Cncl. Marino**, the Parks and Recreation Commission decided to adjust their fee to 20% of gross which will take away any doubt. **Mr. Bonder** said it is simple; if in fact we need to look at their books, all we have to look at is their sales. **Cncl. Heffner** questioned the difference in fees between a cat and dog license. **Mrs. Chiselko** clarified, the Township collects a fee for the State for the dog licenses. In regards to the cat licenses, the Township keeps the money collected as it is not a State Law to license cats, it is a municipality law and not all municipalities license cats. She said, regarding dog licenses, there is a max amount we can charge and there is a certain amount of the fee that the Township does keep, which goes into a Trust Account. She said, there is a licensing fee and a pilot fee and we send a check to the State every month, explaining that a portion of what the Township keeps is used for rabies clinics, equipment, etc. She said, the Township keeps the fees collected for cat Licenses, these fees do not go to the State. She is not sure why there is a difference between the dog and cat license fees. **Deputy Clerk, Aileen Chiselko** questioned if we are not going to do a flat fee for the food vendors, which was discussed last month along with addressing the different fees for all of the different events. **Cncl. Marino** said the Music Festival and the Town Appreciation Night are the same event with the same fee structure. **Mr. Bonder** stated, with regards to the Arts Festival, the Parks and Recreation Commission collects the money for the Arts Festival to help the Main Street Committee, but they do not have anything to do with their structure or how it is run. **Mrs. Chiselko** said, there is an application out there with fees listed and a statement saying that \$5 of the registration is donated, however, it is not in the Fee Ordinance. She said the Main Street Committee created the application and the fees, however, the Ordinance does not include these fees.. **Cncl. Marino** and **Cncl. McIlvaine** said, since it is a Township-sponsored event, we will need to add the Arts Festival to the Ordinance, but it should fall under the fee structure that Parks and Recreation have already put into place. **Mr. Bonder** said this would create consistency across the board, which would be helpful since some of the vendors are shared. **Cncl. McIlvaine** suggested that **Ernie Carbone**, a member of the Main Street Committee, attend the next Ordinance Committee Meeting to speak on behalf of the Arts Festival. **Cncl. Dilks** asked what the difference in the fees are. **Deputy Clerk, Aileen Chiselko** said there is a fee section in the Ordinance, "craft fairs" that will now be renamed "Township-sponsored events. She spoke in reference to fees for the events. She said, along with the Fall Festival, we currently have 4 different vendor fees, depending on the event. **Mr. Bonder** said the Fall Festival should fall under Parks and Recreation with the same fees. In actuality, they only have food vendors at the

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Fall Festival and there are no other vendors. Cncl. McIlvaine said, the Main Street Craft Fair has become the Music Festival, as it has expanded into what it is today. Mrs. Chiselko asked if we want to remove "Craft Fairs" from "Community Affairs", and keep the Music Festival and Fall Festival, and add the Arts Festival. **Cncl. Marino** asked, in order to give ourselves flexibility, if we could rename them "Township Sponsored Events", instead of individually naming them. **Mrs. Chiselko** said, there is a different fee schedule listed for each event. Cncl. Marino said that we should use the Music Festival and our bigger events as our boiler point, setting the fee of a single space at \$35, double space at \$55 and additional spaces at \$35. He said, in his opinion, looking at Chapter 74-43, it should be our template for Township-Sponsored events, this would again give the flexibility if things get added. **Director of Parks and Recreation, Jim Bonder** agreed, saying that it would help keep things simple. He also reiterated the reason that they went with percentages. The concept was, if the vendors make money, the Township makes money. He said, they tried to be fair so they can open it up and put similar vendors next to each other. Mr. Bonder said, this has worked well and the revenue has increased significantly over the past few years. **Cncl. Pres. DiLucia** asked for clarification of what the definition of the Beer and Wine Garden subject to bid package TBD meant, also he asked what the bid package included. Mr. Bonder clarified this is an RFP that we send out each year to all of the wine vendors; it is 20% of gross profit, and the wine vendors submit their package for review. He said, unfortunately, we have only had one company submit for the first two years. **Cncl. Pres. DiLucia** stated that he saw in the bid, that it is a requirement for a minimum of a \$250 check, the bidder submitted a check for \$350. He asked, if he was another bidder and gave \$400, would he have gotten the bid. He asked for clarification of what the minimum bid meant, asking if we received two vendors, how would we decide. Mr. Bonder said there is a language in there that states "subject to the best interest of the town". **Deputy Clerk, Aileen Chiselko** said, if we have three qualified vendors, \$350, \$450 and \$550, is the \$550.00 going to win out the bid since they paid us more. Mr. Bonder said, no, that is not necessarily true and he said that the question of that money being refundable has never come up. Mrs. Chiselko said it states in the bid package that the unsuccessful bidders will receive their check back and we will keep the money from the successful bidder. Cncl. Pres. DiLucia said that he does not understand; this year, the minimum bid was \$250, somebody gave \$350, and asked what the bid represents. He said, for example, if he gave \$2,000 does that have any impact on whether he receives the bid; he does not feel like the bid means anything. **Cncl. McIlvaine** said, to him, that would mean everything. If you are giving the Township the most money, we are allowing you to come in and be the sole provider of wine and beer. Cncl. Pres. DiLucia does not understand the philosophy of this bid and said it is almost like we are telling the vendors that we will secure your bid with \$300 or whatever the amount may be, but we are not saying that this is a bid to get the business and this does not make any sense. Mr. Bonder said that the bid language allows us to make the decision; for example, the vendor could come in and say here is \$2,000 but we are going to charge \$10 for each cup of beer and \$12 for wine, this would not fit into criteria. Cncl. McIlvaine suggested that we remove the bid altogether. Cncl. Pres DiLucia suggested maybe the vendor should give money to secure the fact that they are a legitimate bidder and would be refundable if they are not chosen. Cncl. Marino suggested that they make a motion deciding that we want change the fee section to

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“Township-Sponsored Events”, keeping the fee structure the same as the Music Festival. He said this would create a template to work from and we are not telling the Main Street Committee not to do what they have been doing. **Cncl. Pres. DiLucia** said, if he was on the Main Street Committee, he would say their event is a much smaller crowd and there is no ability for the vendor to make money that is similar to the money that can be made at the Music Festival. He said, this may be their justification in their fee schedule and he feels it would be a good idea to ask them why they have done it this way. **Cncl. Marino** stated that we have all of the fee changes that we have been waiting on, and we have changed them in the Ordinance, however, we have not changed them in Chapter 74. He said his is all part of a bigger fee structure that we have been working on. **Cncl. McIlvaine** asked if we can move this forward, pending an agreement with the Main Street Committee and **Cncl. Marino** agreed. **Cncl. Pres. Dilucia** made a motion, pending the Main Street Committee approval, we move forward for “Township-Sponsored Events” and **Cncl. McIlvaine** seconded that motion.

E.) OLD BUSINESS

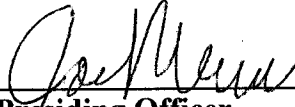
F.) ADJOURNMENT

With nothing further to discuss **Cncl. Pres. DiLucia** made a motion to adjourn the Ordinance Committee Meeting of October 3, 2018. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council in attendance.

Respectfully submitted,



Deputy Municipal Clerk, Aileen Chiselko, RMC



Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings, as well as hand-written notes taken, of the Ordinance Committee Meeting of October 3, 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 Act.

Approved as submitted asc Date 3/6/19
Approved as corrected _____ Date _____