

**MINUTES
WORK SESSION MEETING
TOWNSHIP OF MONROE
SEPTEMBER 28, 2020**

A.) OPENING CEREMONIES

CALL TO ORDER

The Work Session Meeting of the Township of Monroe was called to order at approximately 7:00PM by **Cncl. Pres., Joseph P. Marino, III** in the Courtroom 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*). Adequate notice was 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 on the Monroe Township website.

SALUTE TO THE FLAG

Cncl. Fox led the Assembly in the Pledge of Allegiance to our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Marvin Dilks	Present	
Cncl. Katherine Falcone	Present	
Cncl. Carolann Fox	Present	
Cncl. Ronald Garbowski	Present	
Cncl. Vice-Pres. Patrick O'Reilly	Present	
Cncl. Gregory Wolfe	Present	
Cncl. Pres. Joseph P. Marino, III	Present	
Mayor Richard DiLucia	Present	
Deputy Mayor, Joseph DiLolle	Present	
Solicitor, John Trimble	Present	
Business Administrator, Jill McCrea	Present	
Dir. of Code Enf./Comm. Dev., Ralph Manfredi	Present	
Dir. of Community Affairs, Brandee Derieux	Present	
Dir. of Finance, Lorraine Boyer	Present	
Dir. of Parks & Recreation, Brent Salvadori	Present	
Dir. of Public Safety, Joseph Kurz	Present	
Dir. of Public Works, Nicholas Mercado	Present	
Dir. of Real Estate, Angelina Matese		Excused
Deputy Police Chief Michael Rebecca	Present	
Municipal Clerk, Aileen Chiselko	Present	

PRESENTATIONS – None

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B.) MATTERS FOR DISCUSSION

Cncl. Falcone read aloud a letter which she presented to Municipal Clerk, Aileen Chiselko regarding the removal of two board members of the Monroe Municipal Utilities Authority. *“Pursuant to the bylaws and regulations of the Monroe Municipal Utilities, Board Member Ralph Manfredi should not have voted on the recent appointment of the current MMUA Superintendent. More importantly, he violated local government ethics rules. Ralph Manfredi should have recused himself from the vote because there was a conflict of interest. His son is employed at the MUA and would be supervised by the Superintendent. For this reason, I am making a motion to remove Ralph Manfredi for potential misuse of the authority and breach of ethics. I ask for a second on this motion so council can start the investigative process pursuant to Monroe Township Code Section 4-29. I would like the hearing to be scheduled for October 12, 2020 at 5:00 P.M.”* **Cncl. Garbowski** seconded Cncl. Falcone’s motion to remove Ralph Manfredi for potential misuse of the authority and breach of ethics. Cncl. Falcone asked for a separate motion to remove Board Member Robert Simone for the same reasons and would like the hearing to be scheduled for October 12, 2020 at 6:00pm. Cncl. Garbowski seconded Cncl. Falcone’s motion to remove Robert Simone as a Board Member of the MMUA. **Cncl. Pres. Marino** asked for the specific reasons for her requests. Cncl. Falcone explained, it is pursuant to the bylaws and regulations, stating any lay person would know that anybody who is related to anybody is a conflict of interest.

Cncl. Wolfe noted, the motions that were just made are in preparation. It is his intention to make a motion during the Regular Council Meeting, for the removal of MMUA Board Member, Mr. Joseph DiLolle, Jr. This motion is based upon a report that Council has received from an independent investigation which was conducted by an independent law firm, Cooper Levenson. The investigation was regarding employee complaints pertaining to the conduct and activities of Mr. DiLolle at the MMUA, with the conclusion stating that Mr. DiLolle violated the MMUA political activity policy. Cncl. Wolfe believes in providing Mr. DiLolle his due process and once the motion is made and seconded at the Regular Council Meeting, Mr. DiLolle will be notified of the motion, charges and hearing date. According to the Township Code, a hearing shall be held not less than 10 days nor more than 30 days after the service of said notice. **Solicitor Trimble** explained, there are two parts to Township Code Chapter 4-29; the first part advises that a motion has to be dually proposed and considered at an agenda conference, and what Council Members are doing this evening, satisfies that requirement stated in the first part of Chapter 4-29. Cncl. Wolfe asked Solicitor Trimble what the process is for allowing the State of New Jersey to make the determination regarding N.J.S.A. 40A:9-22.5 and if this behavior violates the State Statute. Solicitor Trimble stated, there is not exclusive jurisdiction, so there is nothing stopping anyone from making their own determinations. **Deputy Mayor/MUA Chairman, Mr. DiLolle** asked if he will be receiving a report with the findings. **Cncl. Pres. Marino** explained, it is not the responsibility of Council to provide a copy of the confidential investigative report, however, he suggested that Mr. DiLolle contact the attorney who provided the report, in order to obtain a copy. He noted, now that this process has started, Council is put on notification of the violations and the potential legal ramifications. Solicitor Trimble explained, once an official Motion and Second is given on this matter, the Municipal Clerk will

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B.) MATTERS FOR DISCUSSION (cont'd)

then provide a copy of the charges set forth to Mr. DiLolle. Solicitor Trimble advised that he is recused from all MMUA matters. **Cncl. Pres. Marino** clarified, the investigation is closed, Mr. DiLolle has interviewed with the investigator as well as the complainants, the due process on behalf of the MMUA has been done, and now Council has to perform their own due process. **Cncl. Wolfe** recommended that all hearings discussed this evening be scheduled for October 12, 2020. **Mayor DiLucia** expressed his concerns that the potential jury has already concluded to guilt. The Mayor noted that under the Faulkner Act, he as the Mayor has a duty to hire and sign the contracts of any and all professionals subject to Council's approval and that includes a conflict attorney/solicitor. Mayor DiLucia noted, he understands why the Solicitor has recused himself from all MMUA matters and asked Cncl. Pres. Marino to also recuse himself, as he has a financial interest with matters concerning Mr. DiLolle. **Cncl. Pres. Marino** stated, his position is the same as it was when he voted for and reappointed Mr. DiLolle as Chairman of the MUA. Mayor DiLucia believes that every member of Council, except Cncl. Fox, has a conflict with this matter, as Mr. DiLolle ran all of their political campaigns. Cncl. Pres Marino stated for the record that "*he does not have a concern with who the solicitor is.*" Cncl. Wolfe spoke regarding an anonymous letter that the Mayor read aloud to Council during the June 22, 2020 Work Session Meeting. Mayor DiLucia believes that it is selective prosecution. A discussion ensued regarding the motion presented this evening and the investigative process. Mayor DiLucia noted, the conflict attorney is covered by law and there is no dispute or debate, the Mayor of the town will select the Conflict Attorney and will present the selection before Council for their consideration.

C.) PUBLIC PORTION

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

D.) NEW BUSINESS

Director of Parks and Recreation, Brent Salvadori addressed Council regarding a request that he received from the South Jersey Woman's Softball League who has applied to use field number 7 at Duffy Park for their softball season. They have a 10-week schedule beginning September 13, 2020 and questioned the fee that was recently adopted earlier this year, asking for the fee to be waived. Mr. Salvadori noted that the first three weeks of the season, the South Jersey Woman's Softball League did not use the fields at Duffy Park along with the last week of the series, they will not be using Duffy Park. They are asking that if the fee cannot be waived, maybe it can be reduced to \$50.00 instead of \$100.00, as they will not be using field 7 at Duffy Park for the entire 10-week season. **Cncl. Pres. Marino** asked if the members of the teams are local residents. Mr. Salvadori said there are some Monroe Township residents on the various team within the league. **Cncl. Wolfe** stated, the Fee Ordinance was recently amended earlier this

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D.) NEW BUSINESS (cont'd)

year to include these fees which was requested by the Director of Community Affairs, Ms. Derieux. **Cncl. Wolfe** recommended to bring this matter to the next Ordinance Committee Meeting of October 7, 2020 under Matters for Discussion. **Cncl. Pres. Marino** recommended continuing to charge the fees until Council is able to discuss the matter further at the Ordinance Committee Meeting.

E.) OLD BUSINESS

Cncl. Vice-Pres. O'Reilly spoke in reference to the awarding of the contract for the closing of the landfill. He asked if Council is waiting for the Bond Ordinance to be adopted before funds can be certified to award. **Director of Finance, Lorraine Boyer** confirmed that Council needs to wait for the Bond Ordinance to be adopted, it is scheduled for First Reading at the Regular Council Meeting later this evening and will then be scheduled for Public Hearing / Final Adoption in twenty days. **Solicitor Trimble** stated, he will confirm the date of the extension to award to ensure everything falls into place with the adoption of the Bond Ordinance and the awarding of the bid, and will report back.

F.) COMMITTEE REPORTS – None

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Falcone asked for clarification on Resolution R:155-2020. She noted, the language as it is written in the Resolution shows that Council's disapproval of the removal of the Director of Code Enforcement/Community Development, Ralph Manfredi, has already been decided. She asked for the basis of this decision, as she was not involved in any conversations regarding this decision. **Cncl. Pres. Marino** stated, the removal was based on the Mayor's decision to remove Mr. Manfredi; the notification of his decision was received which provided Council up to twenty days from that point to adopt a Resolution disapproving the removal of said Director (by a 2/3 vote of the whole number of the Township Council). The basis the Mayor cited for the removal was neglect of duty. Council did not receive any specifics supporting the basis. **Cncl. Pres. Marino** explained that Council is voting to either block the removal or not block the removal. **Cncl. Falcone** believes, the Director of Code Enforcement/Community Development has attended only one Council Meeting to provide a report once in all of 2020 and has not had any involvement with Council. She would vote "no" to disapproving his removal, as he has not performed the job under the two titles he has been appointed to. **Cncl. Wolfe** spoke in reference to Resolution R:154-2020 and stated that Mr. Manfredi has been performing his job, however, he has not been attending meetings. He stated, what has not been put forth by the Mayor is what the neglect was, which is what initiated the request for removal. **Mayor DiLucia** said, he does not expect anyone, who does not know why, to make a decision. He explained that he sent a copy of the letter to Council for their review 15 days ago, which was sent to Mr. Manfredi, expressing the intent for his removal and he has not heard anything from any member

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

of Council regarding same. **Mayor DiLucia** noted that he will provide eight copies of the basis for the request of removal to the Municipal Clerk during the Regular Council Meeting, to distribute to Council, which will outline the lack of duties by the Director of Code Enforcement/Community Development.

Cncl. Wolfe spoke in reference to Resolution R:151-2020. He asked for clarification on an invoice presented on page 28 of the Bill List to Sam's Club Direct for memory foam pillows, waterproof mattresses and memory foam mattress tops. **Director of Finance, Lorraine Boyer** explained, this invoice is for supplies for the Ambulance Hall, as they are replacing the bedding at the Ambulance Hall.

H.) QUESTIONS REGARDING ORDINANCES SCHEDULED

Cncl. Wolfe spoke in reference to Ordinance O:24-2020 regarding the award of contract or purchase. He noted, the language included seems vague as far as the length of the apprenticeship programs. **Solicitor Trimble** believes there is a reference of the State definition of what qualifies for apprenticeship programs. **Cncl. Wolfe** asked, if the Township were to add a four-year stipulation in the Ordinance, would the State definition then supersede the Township Ordinance. **Solicitor Trimble** will review before the Regular Council Meeting.

I.) ADJOURNMENT

With nothing further to discuss, **Cncl. Wolfe** made a motion to adjourn the Council Work Session of September 28, 2020. The motion was seconded by **Cncl. Vice-Pres. O'Reilly** and unanimously approved by all members of Council.

Respectfully submitted,



**Aileen Chiselko, RMC
Municipal Clerk**



Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings, as well as hand-written notes taken, of the Council Work Session of September 28, 2020 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
Approved as corrected _____

Date 10/12/2020
Date _____