

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
MARCH 3, 2021**

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. Ronald Garbowski** 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*). 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 on the Monroe Township website.

SALUTE TO THE FLAG

Deputy Municipal Clerk, Jennifer Harbison led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL

Cncl. Katherine Falcone	Present
Cncl. Carolann Fox	Present
Cncl. Ronald Garbowski	Present
Cncl. Steven McKinney	Present
Cncl. Chelsea Valcourt	Present
Cncl. Vice-Pres. Gregory Wolfe	Present
Cncl. Pres. Patrick O'Reilly	Present
Mayor Richard DiLucia	Present
Solicitor, John Trimble	Present
Zoning Officer, Tara Nelms	Present (<i>excused @8:05pm</i>)
Captain Craig Monahan	Present
Deputy Municipal Clerk, Jennifer Harbison	Present

B.) APPROVAL OF MINUTES

Cncl. Vice-Pres. Wolfe made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of February 3, 2021. The motion was seconded by **Cncl. Fox** and unanimously approved by all members of Council.

C.) ORDINANCES FOR REVIEW

- **Salary Ordinance**

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C.) ORDINANCES FOR REVIEW (cont'd)

Cncl. Vice-Pres. Wolfe thanked **Cncl. Garbowski** for providing the maximum salary amounts, however, he feels the minimum salary amounts are also needed for proper review. He believes there are a lot of discrepancies within the Salary Ordinance. **Cncl. Vice-Pres. Wolfe** distributed a spreadsheet that he created to further explain his concerns with the discrepancies. He explained, after review of the maximum salary amounts, he does not feel that the maximum salary line in the Ordinance needs to be increased, because for some, if the 3% is added to the actual salary amount, it would allow for a significant increase without reaching the stated maximum line and for others without the 3%, the maximum salary is already over. **Cncl. Vice-Pres. Wolfe** stated, if it is general rule of thumb to increase by 3%, then some of the salaries line amounts can be decreased drastically. **Cncl. Falcone** asked about those employees who have been with the Township for many years, whose salaries are closer to the top of the salary range, where would the incentive for an increase be. She questioned, where the incentive would be if the maximum level was removed or decreased. **Cncl. Vice-Pres. Wolfe** explained, it would be at the Mayor's discretion to negotiate a contract with those employees and then present said negotiated contract to Council for approval. He feels the minimum salary amounts that are stated in the Ordinance also need to be adjusted, as they may not be the correct going rates in order to bring in a new hire when needed. **Cncl. McKinney** asked if the purpose of the Ordinance is to propose a salary range which allows the Mayor to negotiate within, and if he has to negotiate above it, would it have to be presented to Council for approval, to which **Cncl. Vice-Pres. Wolfe** agreed. **Cncl. Pres. O'Reilly** advised, in the spreadsheet **Cncl. Vice-Pres. Wolfe** created, he took the current top salary, which represents the current 2021 rates and added 3% which allows a buffer for the Mayor when he negotiates the contracts in the following year. He stated, with the 3% added for next year's increase, the current salaries are still well under the maximum salary ranges listed in the Ordinance, and because of this, he is unsure why the maximum salary lines need to be raised. **Mayor DiLucia** explained the history of how this Ordinance was created and how it has been handled through the years. He noted, most of the minimum salary ranges that are listed are unrealistic and the Township can not hire potential employees at the listed minimums. A large number of the current employees' salaries are set by collective bargaining and this Ordinance really only affects those employees who are not covered under collective bargaining. The Mayor spoke in reference to the variables in the salary ranges listed within the Ordinance and why many of the salaries are all across the board. The Mayor suggested, if Council wants to place caps on the salaries listed, that they be a little more generous than the anticipated 3% wage increases, to allow for the opportunity to hire qualified people when needed. Mayor DiLucia spoke regarding the hiring and negotiating process and how it is affected by the Ordinance. **Cncl. Vice-Pres. Wolfe** would like to form a sub-committee to work with the Mayor to review and research the Ordinance and make the appropriate changes. **Cncl. Pres. O'Reilly** suggested the Budget Committee which includes himself, **Cncl. Vice-Pres. Wolfe** and **Cncl. Falcone**, serve as the sub-committee to which everyone agreed. Mayor DiLucia explained how he standardized the compensation of the supervisors, since he has been Mayor. **Cncl. Falcone** asked, if Council can be added to the structure of the Salary Ordinance, as far as an increase per year with a cap. She noted, all of Council sacrifices their time and she believes moving forward in the future there should be an increase. She is unaware of when the last increase was given and suggested it should at least be a talking point going forward and be

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C.) ORDINANCES FOR REVIEW (cont'd)

discussed while every other positions' salary is being discussed. **Cncl. Garbowski** stated, he has been on Council for 13 years and the salary has always been the same. **Cncl. Vice-Pres. Wolfe** made a motion to move forward the Draft Salary Ordinance for First Reading at the Regular Council Meeting of March 8, 2021. The motion was seconded by **Cncl. Pres. O'Reilly** and unanimously approved by all members of Council.

D.) MATTERS FOR DISCUSSION

- **Chapter 175-138 "Land Management" – Storage of Recreational Vehicles and Boats**

Zoning Officer, Tara Nelms spoke in reference to the number of recreational vehicles complaints that she has received, with the most recent complaint pertaining to a landscape trailer parked on a resident's property in the Forest Hills development. Mrs. Nelms explained the extent of the complaint, noting that the Township Code does not address these types of trailers, it only addresses travel trailers, campers or boats. Mrs. Nelms advised, going forward she is going to send out courtesy notices prior to enforcement actions on the received complaints. She believes that by doing this, it will ensure the residents know that the Township wants to work with them and are not just about enforcement. She spoke in reference to a complaint she received in School House Gate and how that was handled. Mrs. Nelms noted, she would like to have utility/landscape trailers added to the Township Code, because if enforcement is needed in the future, there will be something for her to enforce. A discussion ensued regarding the complaints received in the Zoning Office. **Cncl. Pres. O'Reilly** expressed his concerns with the Ordinance. **Cncl. Vice-Pres. Wolfe** believes, the utility/landscape trailers should be added along with possibly increasing the number allowed on the property. **Solicitor Trimble** advised, he will research the Code along with any other Chapters that are affected and or involved with this.

- **Chapter 175-89 "Land Management" – Accessory Buildings**

Zoning Officer, Tara Nelms spoke regarding the number of use variance applications that have been received by the Zoning Board. She explained how residents after purchasing pre-existing homes and properties fall into the need for a use variance when they want to add an additional shed or structure on their property. She advised, residents are allowed to have one shed and one garage, with the shed having a maximum of 200 square foot. She noted, she has found that a lot of the pre-existing sheds are slightly over the 200 square foot restriction. Mrs. Nelms suggested adjusting the 200 square feet restriction or possibly leaving the maximum lot coverage at the 1,100 square foot total to be used between the two accessory buildings, which would not restrict residents to only having 200 square feet for a shed. **Cncl. Pres. O'Reilly** suggested researching the surrounding municipalities to see how their Code pertaining to this is structured. He would like to remove the titles, shed and garage and revise the Code to say two accessory buildings not to exceed 1,100 square feet in a residential area. **Solicitor Trimble** stated that he will work with Mrs. Nelms on revising the Code to present at the next Ordinance Committee Meeting for further discussion.

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D.) MATTERS FOR DISCUSSION (cont'd)

• **Chapter 280-18 "Animal Control" – Backyard Chicken Pilot Program**

Zoning Officer, Tara Nelms stated that there is no cross referencing between the Backyard Chicken Pilot Program and the Zoning Code. In the Zoning Code, chicken coops must be 50 feet from any property line and in the Backyard Chicken Pilot Program, the coops are permitted to be 20 feet from any neighboring dwelling. **Cncl. Pres. O'Reilly** stated, the Zoning Code is more stringent than the Backyard Chicken Pilot Program from a distance standpoint. He asked, outside of the Backyard Chicken Pilot Program, where are chickens allowed to which Mrs. Nelms advised, anywhere in the Pinelands. A discussion followed regarding the concerns with the contradictions between the Backyard Chicken Pilot Program and the Zoning Code. **Cncl. Garbowski** stated that the Pilot Program expires in May, so it will be further discussed with the issues addressed in the coming months. **Cncl. Pres. O'Reilly** believes, the program as a whole has been highly successful. **Cncl. Vice-Pres. Wolfe** noted, when the pilot program is rolled out, he would like to add "or deed restrictions or private associations" under Section B homeowner's associations. **Cncl. Pres. O'Reilly** stated, prior to the roll out of the program, there is going to be a complete reconvening with the Backyard Chicken Committee, Council, and Zoning Officer Mrs. Nelms to address and make all of the necessary changes.

E.) NEW BUSINESS

Cncl. Falcone spoke in reference to the Native Plant Ordinance that was presented to Council by the Environmental Protection Commission's former Chairperson, Ryan Rebozo in July 2020. She explained that the Draft Ordinance refers to the native plants within this area, goes into detail with what percentages of land can actually be cleared, tree removal and on the whole is very inclusive of a lot of requirements. She believes, this is something that Solicitor Trimble will have to review. **Cncl. Falcone** noted that the Environmental Protection Commission has asked for the status of the Draft Ordinance and what Council's position is regarding the Draft Ordinance. **Cncl. Falcone** stated, she had contacted George at S&P Farms to review the Ordinance and receive his feedback. She read aloud his response where he expressed some concerns with items specified that may or may not always be available at the time of installation along with the broad list of native plants, where some of which may not always be available for purchase. **Cncl. Pres. O'Reilly** explained how the initiative to create this Ordinance was started. He noted, the intent was to address the commercial broad land clearing, where builders clear an entire area rather than strategically leaving as much vegetation as possible. It was more curtailed to commercial and subdivisions, with the intent to not rip down every tree and shrub in a proposed subdivision just because it is easier. **Cncl. Falcone** noted, a lot of the Ordinance is in place already within various other chapters of the Code. This Ordinance is meant to be suggestive and not mandatory. She expressed her concerns with the sections that refer to expansion, noting she does not want to see any deterrents for builders coming into the Township. She believes that what is already in place, has worked so far. **Solicitor Trimble** noted, he recalls Tim Kernan stating that this Draft Ordinance will affect all land management, and when the Master Plan review is being done, this will need to be included. **Cncl. Pres. O'Reilly** suggested, engaging with the Planning Board Planner to obtain a more

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E.) NEW BUSINESS (cont'd)

thorough review of the Draft Ordinance as it relates to the commercial landscaping and land clearing. **Mayor DiLucia** believes, when developers are first presenting to the Township, if reasonable demands are made of them, it should not be a problem. **Cncl. Falcone** stated, she will report back to the Environmental Protection Commission regarding this evening's discussion. **Cncl. Pres. O'Reilly** advised to convey that the Ordinance is going to be rolled into the Master Plan, the Solicitor is reviewing it and it will take some time because it is a piece of a much bigger project that is ongoing within the Township.

F.) OLD BUSINESS - None

G.) PUBLIC PORTION

Cncl. Vice-Pres. Wolfe made a motion to open the Public Portion. The motion was seconded by **Cncl. Valcourt** and unanimously approved by all members of Council. With no one wishing to speak, **Cncl. Vice-Pres. Wolfe** made a motion to close the Public Portion. The motion was seconded by **Cncl. Pres. O'Reilly** and unanimously approved by all members of Council.

H.) ADJOURNMENT

With nothing further to discuss, **Cncl. Fox** made a motion to adjourn the Ordinance Committee Meeting of March 3, 2021. The motion was seconded by **Cncl. Valcourt** and unanimously approved by all members of Council.

Respectfully submitted,



Deputy Municipal Clerk, Jennifer Harbison



Presiding Officer

These minutes were prepared from excerpts of the recorded proceedings and hand-written notes taken during the Ordinance Committee Meeting of March 3, 2021 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 _____  _____ Date 4-7-2021
Approved as corrected _____ Date _____