

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
APRIL 6, 2022**

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 Chairwoman, Cncl. Chelsea Valcourt** 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

Cncl. Pres. Wolfe led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL

Cncl. Katherine Falcone		Excused
Cncl. Ronald Garbowski		Excused
Cncl. Steven McKinney	Present	
Cncl. Patrick O'Reilly	Present	
Cncl. Chelsea Valcourt	Present	
Cncl. Vice-Pres. Carolann Fox	Present	
Cncl. Pres. Gregory Wolfe	Present	
Mayor Richard DiLucia	Present	
Solicitor, John Trimble	Present	
Dir. of Public Safety, Joseph Kurz	Present	
Zoning Officer, Tara Nelms	Present	(excused @ 8:36 pm)
Police Chief Monahan	Present	
Deputy Municipal Clerk, Jennifer Harbison	Present	

B.) RESOLUTIONS

R:104-2022 Resolution Authorizing Closed Executive Session of the Township Council of the Township of Monroe

Cncl. Valcourt advised that Resolution R:104-2022 is being removed from this evening's Agenda.

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C.) ORDINANCES FOR REVIEW

- **Chapter 74 “Fees” – Various Departments**

Deputy Municipal Clerk, Jennifer Harbison explained, after contacting every Department to see if they needed any changes made to the Code, there were only a couple of title changes along with two new fees pertaining to Zoning. **Solicitor Trimble** suggested holding this Ordinance at this time, to allow time for the Abandoned Real Property Code to be amended and adopted, as the amendment will create three (3) additional fees, a vacant property registration fee, which is a minimum of \$500.00, if the property is in foreclosure and is vacant, the fee can be up to \$2,000.00 along with an administration fee of \$500.00 and these fees will also need to be added to Chapter 74.

- **Chapter 104 “Buildings” - Article V Abandoned Real Property**

Cncl. Valcourt advised, per Solicitor Trimble’s recommendation, Draft Ordinance pertaining to Chapter 104 “Buildings” – Article V Abandoned Real Property is being held at this time.

- **Chapter 4 “Administrative Code” - Article XVIII Firearms, Weapons and Hunting**

Cncl. Pres. Wolfe spoke regarding the \$100.00 fine that is listed within the amendment, asking if it is adequate and if it also needs to be added to Chapter 74 of the Township Code. **Solicitor Trimble** explained, the cost of the fine is up to Council to decide and Chapter 74 is for Township fees, not fines relating to violations. **Cncl. Pres. Wolfe** made a motion to move forward the Draft Ordinance regarding Chapter 4 “Administrative Code” – Article XVIII Firearms, Weapons and Hunting for First Reading at the Council Meeting of April 11, 2021. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council in attendance.

D.) MATTERS FOR DISCUSSION

- **Land Survey Requirements Relating to Zoning Applications**

Zoning Officer, Tara Nelms noted that she would like to clean up the permit process which has been done in the Zoning Office, explaining when residents come in for a permit, the Zoning Office would like to see the residents obtain newer surveys, so she is able to see an accurate depiction of the property, however, she is finding that since the Township does not have an Ordinance that backs up her request for a newer survey, the residents are resisting the request. After researching some of the surrounding communities, she found that Washington Township requires a survey no older than ten (10) years, which even includes for solar roof top installations, unless there are wetlands on the property. Winslow Township recently raised their requirements to five (5) years from a one (1) year requirement. Mrs. Nelms said, if a resident

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D.) MATTERS FOR DISCUSSION (cont'd)

comes in and has absolutely no changes within the time frame chosen, she would visit their property for an inspection to verify same. Mrs. Nelms spoke regarding the appropriate fee for this inspection, noting, she originally suggested \$50.00 but changed it to \$25.00. She stated, she is not here to hurt the residents but to help, however, her time is valuable also. Mrs. Nelms believes the language regarding surveys needs to be added to the Ordinance. She explained that many of the residents' surveys are not in the owners' names because the mortgage companies are no longer requiring new surveys as part of the closing process, which then in turn makes the Zoning Office, "the bad guys" when they request and require a survey. Mrs. Nelms noted, in the past, Township Officials have let pools and other improvements that required as-built inspections go through with Engineer review and without an as-built inspection. She would like language added to the Ordinance, stating if a resident had an inground pool or something similar installed within the chosen time frame, that the resident will be asked to obtain an as-built inspection, if they never received one prior, which will provide an accurate depiction of what was supposed to be done at the end of the project. **Cncl. O'Reilly** spoke regarding the reasons he asked Mrs. Nelms to be in attendance this evening, to discuss the need to require surveys when it is relating to Zoning applications. He stated, he would like to provide the residents an option to either provide the Township with an updated survey that is within chosen timeframe or pay an administrative fee, which will allow the Zoning Officer to visit and inspect the property, to confirm the survey is still accurate. He believes these options will allow for the opportunity for the Zoning Office to be a little lax on the survey requirements under certain stipulations. **Cncl. Pres. Wolfe** spoke regarding a resident complaint that he received, where the resident needs a survey to have a hot tub installed on his eight (8) acre property. Mrs. Nelms said, if the resident's structures and improvements are confined to a two (2) acre parcel, she has allowed previous residents to obtain and provide a partial survey, which save the residents a substantial amount of money, noting she does not need to see a survey of the entire property but that of the structures. **Cncl. McKinney** expressed his concerns with how the survey inspections will create an additional burden of work to the Zoning Office, which is fine if it is cost recovered. **Cncl. O'Reilly** suggested that the survey inspections can also be performed by the inspectors in the Code Enforcement Office. Mrs. Nelms explained that she is currently performing these inspections as a courtesy to some residents, noting the requirements that are necessary for her to perform said inspections, the survey needs to be in the resident's name and have absolutely no changes. She stated, she does not believe the inspection process will be a burden, as the added language in the Ordinance will clear up a lot of confusion for a lot of people. She would like to defer to language similar to Washington Township's Code, with the exception of rooftop solar surveys and a ten (10) year timeframe requirement for surveys unless there is wetlands on the property and then it would be a five (5) year timeframe requirement, noting by wetlands on the property, it does not mean a buffer but actual wetlands on the property. **Solicitor Trimble** stated, that the Township needs to be careful with the definition of wetlands. Mrs. Nelms spoke regarding the current permit process when it relates to portions of the property being part of the wetlands and/or wetlands buffers. A discussion followed regarding the appropriate fee to be charged for the survey inspection along with the survey inspection process. Mrs. Nelms believes this process will show the residents that she is trying to work with them. **Solicitor Trimble** stated, he will work with Mrs. Nelms on creating the Ordinance and procedures to bring to the next scheduled Ordinance Committee Meeting for further discussion.

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D.) MATTERS FOR DISCUSSION (cont'd)

• **Chapter 200 “Mobile Home Site Fees”**

Cncl. Valcourt reported that after some research on the matter, she was unable to pinpoint a concrete answer on what the mobile home site fees are used for. She stated, in 2021, the Township collected \$259,808.00 from the fee and those funds were placed into the same account that the Board of Health places their site fees. **Solicitor Trimble** explained that these fees do not fall under the Business Administrator’s expertise, suggesting that the Chief Financial Officer, Ms. Boyer along with the Township Auditor should discuss same and provide the answer. He noted, the state statute regarding the fee speaks for itself and that annually the Township should analyze this fee to ensure it is appropriate and if an increase is necessary, there needs to be certain notices filed and there is a limit of 4%. Ms. Valcourt noted, she spoke with the new Auditor, who only provided how much was collected and where the funds were placed, they advised that the previous Auditor did not hold historical records for this topic and suggested that she reach out to the Business Administrator and the Chief Financial Officer, which she did, however, she has not received a solid answer. **Mayor DiLucia** provided a background on the Mobile Home Site Fees, noting it is a common misconception that the Township collects taxes in the fee that the residents pay and that the mobile homes site fees have not been raised in the last six (6) years. He stated, this year the owners of the mobile home parks have taken advantage of the consumer price index and raised their fees 6% and part of the consumer price index includes taxation, which the mobile home park owners did not have an increase in their taxes. The Mayor suggested that the home owners within the mobile home parks meet with the owners of the parks to question what the 6% increase is for, since taxes have not gone up. He believes the owners are taking advantage of the homeowners by charging a large rent, separate and aside from the taxes. **Joe Sheridan, 244 Virginia Place** expressed his concerns with the mobile home site fees, noting that he does not agree with the fee being charged. A discussion ensued between Mayor DiLucia and Mr. Sheridan. **Solicitor Trimble** suggested that Mr. Sheridan speak with a private consumer attorney for a possible class action lawsuit.

E.) NEW BUSINESS

Zoning Officer, Tara Nelms spoke regarding the Township’s Peddling and Soliciting Code, specifically in reference to Mobile Food Trucks. She would like to make sure the Township remains consistent to ensure all of the food trucks, attending the various Township events are licensed and also make sure that all of the fees do not stop them from attending the various Township events. She noted, she was advised that the Fire Marshall charges \$52.00 for an inspection and every time the food truck is coming into town for an event, they are being charged \$52.00 for an inspection for that specific event. Mrs. Nelms suggested possibly lowering the Peddling and Soliciting fee for the Mobile Food Trucks. She explained the breakdown of the annual \$250.00 peddling and soliciting fee. **Director of Public Safety, Mr. Kurz** stated the fire inspection fee is supposed to be an annual fee and not a per event fee, he will confirm same and report back. A discussion followed regarding the Township’s Peddling and Soliciting Code and the fees associated.

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F.) UNFINISHED BUSINESS - None

G.) PUBLIC PORTION

Cncl. Vice-Pres. Fox made a motion to open the Public Portion. The motion was seconded by **Cncl. Pres. Wolfe** and unanimously approved by all members of Council in attendance.

Debbie Valcourt-Sherman, 201 Buckhorn Drive asked if the seniors who reside in the mobile home parks, fall under the senior freeze, to which **Mayor DiLucia** stated, the seniors are entitled to a form of the senior freeze. Ms. Sherman asked what the \$5.00 fee that the Board of Health charges for mobile home parks is for. **Cncl. Valcourt** read aloud Chapter 289-5 of the Township Code. **Zoning Officer, Tara Nelms** spoke in reference to her understanding of the mobile home site fees charged by the Board of Health. A discussion followed regarding the mobile home site fees. **Solicitor Trimble** suggested speaking with the Chief Financial Officer to confirm the mobile home site fees and what they are for. **Mayor DiLucia** stated, he will speak with the CFO, Ms. Boyer and report back.

Stu Gerstein, 116 Castlebay Drive addressed Council to obtain a better understanding of what is being done with any Ordinances associated with stormwater basins. **Solicitor Trimble** explained, in 2021 there was a directive from the State to update all of the stormwater management regulations, where they produced a model Ordinance for everyone to adopt in order to be in compliance with the State requirements and that was completed. The Pinelands Commission rejected the model stormwater Ordinance that was put forward by the State because it did not deal with certain issues that the Pinelands wanted, so the Ordinance is being revised by the Township Engineer and once that is complete it will be forwarded to the Pinelands Commission for acceptance. Mr. Gerstein spoke in reference to the non-functioning basin located at Stirling Glen. Solicitor Trimble believes that once the Stormwater Management Ordinance is amended and approved, it will help regulate the basins within the township.

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

H.) ADJOURNMENT

With nothing further to discuss, **Cncl. Vice-Pres. Fox** made a motion to adjourn the Ordinance Committee Meeting of April 6, 2022. The motion was seconded by **Cncl. O'Reilly** and unanimously approved by all members of Council in attendance.

Respectfully submitted,


Deputy Municipal Clerk, Jennifer Harbison


Presiding Officer

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These minutes were prepared from excerpts of the recorded proceedings and hand-written notes taken during the Ordinance Committee Meeting of April 6, 2022 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 6/1/2022
Approved as corrected _____ Date _____