

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
FEBRUARY 1, 2023**

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 **Cncl. Vice-Pres., 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. Garbowski led the Assembly in the Pledge of Allegiance to Our Flag.

ROLL CALL

Cncl. Denise Adams	Present	
Cncl. Ronald Garbowski	Present	
Cncl. Donald Heverly		Excused
Cncl. Steven McKinney	Present	
Cncl. Patrick O'Reilly	Present	
Cncl. Vice-Pres. Chelsea Valcourt	Present	
Cncl. Pres. Carolann Fox	Present	
Mayor Gregory A. Wolfe	Present	
Deputy Mayor, Joseph Kurz	Present	
Solicitor, Louis Cappelli, Jr.	Present	
Business Administrator, James V. DeHart, III	Present	
Dir. of Code Enforcement, William Sebastian	Present	
Dir. of Community Affairs, Donna Park	Present	
Dir. of Community Development, Joseph Marino	Present	
Dir. of Finance, Lorraine Boyer		Excused
Dir. of Parks & Recreation, Brian Cope	Present	
Dir. of Public Safety, Jon Rumpf		Excused
Dir. of Public Works, Marvin Dilks		Excused
Dir. of Real Estate, Jennifer Pesotski		Excused
Deputy Police Chief Gene Sulzbach	Present	
Deputy Municipal Clerk, Jennifer Harbison	Present	

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B.) ORDINANCES FOR REVIEW

- **An Ordinance to Adopt the Redevelopment Plan for a Portion of the Commercial Corridor Rehabilitation Area Within the Township of Monroe (Hexa Builders Redevelopment Plan)**

Jim Bailey, Hexa Builders provided a copy of the overview map of the property to the members of Council in attendance for review and provided an overview of the project, noting this is a project that was presented to the governing body last year, a redevelopment plan and an Ordinance is already in place. He stated, because the property is located within the Pinelands, the previously adopted Ordinance was referred to the Pinelands for review and the current Draft Ordinance before Council has been revised to reflect the Pinelands comments. The Pinelands have now adopted Pineland Development Credits (PDCs) for commercial/industrial property along with a fee charge. He explained the major substance of change to the plan is that a PDC fee will be paid to the Pinelands Commission, noting for this project the fee will equal approximately \$2.5 million. Mr. Bailey explained, the property, as of today has GDP approval, has land use approvals for page 1 of the provided handout, which includes 219 single-family homes, 268 townhomes, 100 assisted living units, 70 independent units, a hotel, restaurant and over 100,000 square feet of commercial space. This plan which includes the warehouse has been completed by the Township's Planners in order to accommodate this facility so that the builder would not be doing the GDP residential development, but the industrial development instead. Mr. Bailey said that Hexa Builders is requesting that the Draft Ordinance be moved to First Reading and then be presented to the Planning Board for their Master Plan determination. Hexa Builders is really looking forward to being a contributor to the Township, they have been working through this process for a little over a year now and are looking forward to getting the community involved with some local work. **Cncl. O'Reilly** spoke in reference to the larger of the warehouses, asking if this will be a major loading dock type layout, noting he is trying to understand the dynamics of the layout. Mr. Bailey stated, he is not able to provide a lot more detail on the plans, however what is laid out in the Draft Ordinance was prepared by the Township Planner and explains the Zoning for the entire site, noting currently there is not a specific tenant in mind as they are waiting for the plan to be fully adopted before securing a tenant. **Cncl. O'Reilly** asked if Hexa Builders have had a discussion with the MMUA, to which Mr. Bailey said the preliminary discussions with the MMUA have taken place. **Cncl. Garbowski** asked for confirmation that Hexa Builders is planning on presenting the project to the Planning Board, to which Mr. Bailey confirmed. **Mayor Wolfe** asked if the construction of the project will also involve local contractors who are qualified, to which Mr. Bailey confirmed and stated that Hexa Builders always involve local workers on their projects. **Cncl. Garbowski** made a motion to move forward the Draft Ordinance regarding the Redevelopment Plan for a Portion of the Commercial Corridor Rehabilitation Area within the Township of Monroe (Hexa Builders Redevelopment Plan) for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. Pres. Fox** and unanimously approved by all members of Council in attendance.

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B.) ORDINANCES FOR REVIEW (cont'd)

• Chapter 230 "Peddling & Soliciting"

Zoning Officer, Tara Nelms stated that since the last Ordinance Committee Meeting, she has worked with the Solicitor's office to amend the language in the Ordinance. She spoke regarding sections 230-4 and 230-8b, noting both sections are very similar and she feels that they conflict each other and if the amended Ordinance is approved, one of the sections will need to be chosen. When she spoke with many neighboring municipalities, the food truck Ordinance from Egg Harbor Township is the one that she feels would work best for the township and would allow the town to be friendlier to the food truck vendors who are coming in for the township-sponsored events. She discussed the Ordinance with Deputy Police Chief Sulzbach, who brought to her attention the local background checks that Egg Harbor Township has in place and he feels that Monroe Township will need to keep the fingerprinting process as it is currently done and not the local background checks. Mrs. Nelms stated, she does not care for the process that is currently in place and she does not feel that it works. **Solicitor Cappelli** stated, Mrs. Nelms did a lot of research and brought a lot of good ideas to the table, noting he feels the Draft Ordinance presented is very good comprehensive and addressing all of the concerns she had previously expressed to make it easier for the food trucks to participate in the township-sponsored events. Mrs. Nelms spoke in reference to the time restrictions, which need to be discussed and decided upon, noting the current time of 9:00am to sundown is listed for peddling and soliciting. **Cncl. O'Reilly** asked if it is clearly defined as to who falls under the 9:00am to sundown time restrictions, to which Solicitor Cappelli confirmed. Mrs. Nelms noted, there is an exception listed that states, unless it falls under a township-sponsored or permitted event. **Cncl. O'Reilly** mentioned that 9:00am on a Sunday for peddling and soliciting can be a little deterring in a residential neighborhood and suggested maybe changing the time to 10:00am on Sundays. **Cncl. Pres. Fox** suggested, in order to stay consistent across the board, amending the time to 10:00am to 5:00pm for everyday of the week. Mrs. Nelms spoke in reference to the fees listed, advising that currently for any food truck or peddler, the annual fee is \$250.00 for the business and an additional \$25.00 for each worker of the business and for an individual solicitor, the fee is \$125.00 and a \$25.00 application fee, to which all members of Council in attendance agreed should stay the same. **Cncl. McKinney** noted, Council needs to decide between sections 230-4 and 230-8b regarding fee applications prior to moving the Draft Ordinance for First Reading. Mrs. Nelms clarified that section 230-4 exempts vendors only from fees and section 230-8b exempts vendors from the application but requires them to comply with the entire section, to which **Cncl. O'Reilly** said, he does not feel the applicants should be exempt from the fingerprinting and background checks. Mrs. Nelms suggested that Section 230-8b be removed and Section 230-4 remain. Mrs. Nelms spoke in reference to the fingerprinting requirement, asking if it is necessary for all of the individual food truck workers, to which **Deputy Police Chief Sulzbach** expressed his concerns with removing that requirement and asked for time to research removing fingerprinting and replacing it with a local background check. **Mayor Wolfe** asked that since there are township-sponsored events coming up and the timing and planning of those events are going to require people to apply, such as the food truck vendors, pending Deputy Police Chief Sulzbach's recommendations, he would like to have this presented for First Reading at the next scheduled Council Meeting. He spoke regarding the time restrictions,

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B.) ORDINANCES FOR REVIEW (cont'd)

10:00am to sundown, expressing his concerns with how late sundown is during the summer months, suggesting implementing a set time of 10:00am to 5:00pm, to which all of Council in attendance agreed. **Cncl. Garbowski** made a motion to move forward the Draft Ordinance regarding Chapter 230 “Peddling & Soliciting” for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. Adams** and unanimously approved by all members of Council in attendance.

- **Chapter 4, Article XVII “Department of Community Development and Land Use” and Chapter 4, Article XVI “Department of Code Enforcement”**

Mayor Wolfe explained that he had requested that the language in Chapter 4 be amended for several directorships that are not inline with the duties and responsibilities. He noted, the first two amendments are being presented this evening, the Department of Code Enforcement and the Department of Community Development and Land Use, which cross paths and the amendments made have cleaned up the language, defining each role. He noted, with regards to the Department of Code Enforcement Draft Ordinance, on page 2, section C1, line 8, where it states “as directed by the Mayor and Township Council”, that the language be amended to state “the Mayor and/or Township Council”, to which all of Council in attendance agreed. **Cncl. Garbowski** made a motion to move forward the Draft Ordinance regarding Chapter 4, Article XVII “Department of Community Development and Land Use” as amended for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. Pres. Fox** and unanimously approved by all members of Council in attendance. **Cncl. Adams** made a motion to move forward the Draft Ordinance regarding Chapter 4, Article XVI “Department of Code Enforcement” for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. Pres. Fox** and unanimously approved by all members of Council in attendance.

- **Deed of Dedication - “Hovbros Stirling Glen, LLC”**

Cncl. O’Reilly stated, given everything that is going on, he does not feel that the current Administration has had the opportunity to research this Draft Ordinance. He asked for a motion to table the Draft Ordinance to the next scheduled Ordinance Committee Meeting Agenda, to which **Mayor Wolfe** agreed. **Cncl. Garbowski** made a motion to Table Draft Ordinance regarding Deed of Dedication “Hovbros Stirling Glen, LLC” to the next scheduled Ordinance Committee Meeting. The motion was seconded by **Cncl. McKinney** and unanimously approved by all members of Council in attendance.

C.) MATTERS FOR DISCUSSION

- **Chapter 144 “Flood Damage Prevention”**

Solicitor Cappelli explained, the Draft Ordinance is basically the Model Ordinance put

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C.) MATTERS FOR DISCUSSION (cont'd)

forth by the NJDEP, noting his office has incorporated all of the language the NJDEP has recommended. He advised, prior to adoption, the Ordinance needs to be sent to the NJDEP for their review and approval. Solicitor Cappelli said, a motion to move forward for First Reading along with a motion to forward to the NJDEP for approval is required. **Cncl. O'Reilly** suggested that the Supervisor of Public Works be involved with the changes made to the Ordinance as the new state requirements included have an impact on his day-to-day schedules. Solicitor Cappelli stated, a lot of the Ordinance is geared towards future development. Cncl. O'Reilly spoke regarding the new state requirements and the effects they will have on the township. **Cncl. Garbowski** made a motion to forward the Draft Ordinance regarding Chapter 144 "Flood Damage Prevention" to the NJDEP for approval and for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. O'Reilly** and unanimously approved by all members of Council in attendance.

- **Chapter 175-140.1 "Stormwater Management"**

Solicitor Cappelli explained that the Chapter 175-140.1 "Stormwater Management" Draft Ordinance is required to be adopted by the Pinelands Commission. **Cncl. Garbowski** made a motion to forward the Draft Ordinance regarding Chapter 175-140.1 "Stormwater Management" for First Reading at the Council Meeting of February 13, 2023. The motion was seconded by **Cncl. Pres. Fox** and unanimously approved by all members of Council in attendance.

D.) NEW BUSINESS - None

E.) UNFINISHED BUSINESS

Mayor Wolfe advised, he will work with the Director of Parks and Recreation to clean up the language contained in Chapter 4 under that directorship, as there are some conflicting items, noting he is hopeful the amendments will be completed prior to the next Ordinance Committee Meeting.

F.) PUBLIC PORTION

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

Bruce Kilmer, 1757 Glassboro Road addressed the Mayor and Council to present a petition that he has been signed in opposition to creating a cat colony by granting a waiver extending the Trap, Neuter, Vaccinate and Release Program. Mr. Kilmer expressed his concerns with the large number of cats that his neighbor has on their property and how he is directly

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F.) PUBLIC PORTION (cont'd)

impacted by the cats. He noted, he has been dealing with the issue since October 2022 and that he has trapped and turned in twenty-six (26) cats to the Gloucester County Animal Shelter. Mr. Kilmer commended Council on the current code pertaining to Animal Control and asked that they enforce the Township Code. **Mayor Wolfe** explained how the Trap, Neuter, Vaccinate and Release Program was created and put into place. He advised that the Board of Health has a meeting scheduled on February 8th, where a representative from Council, representation from the Gloucester County Animal Control and a representative from Pet Savers will all be in attendance to discuss the issue and the Trap, Neuter, Vaccinate and Release Program. The Mayor invited Mr. Kilmer to attend the Board of Health Meeting to express his concerns. A discussion followed regarding the Trap, Neuter, Vaccinate and Release Program.

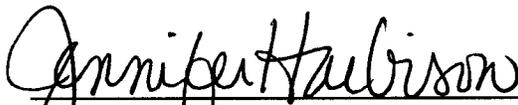
Dawn Fenza, Pet Savers addressed Council to state that her organization, Pet Savers stands at the ready to help with this colony, noting that until the cats are able to become part of the Trap, Neuter, Vaccinate and Release Program, they are ready to work immediately with Mr. Kilmer to keep the cats off of his property with deterrents, if he is willing to entertain that offer. Ms. Fenza left her card for Mr. Kilmer to contact her.

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

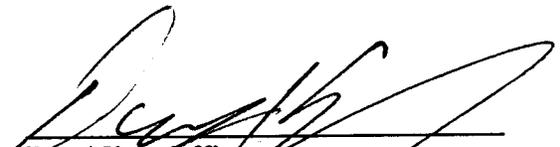
G.) ADJOURNMENT

With nothing further to discuss, **Cncl. Garbowski** made a motion to adjourn the Ordinance Committee Meeting of February 1, 2023. The motion was seconded by **Cncl. Pres. Fox** and unanimously approved by all members of Council in attendance.

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 February 1, 2023 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 4/5/2023
Approved as corrected _____ Date _____