

EASTAMPTON TOWNSHIP COUNCIL

REGULAR SESSION MINUTES

November 9, 2009

7:30 p.m.

Mayor Nagler called the meeting to order at 7:30 p.m.

Mayor Nagler certified that the meeting was noticed in the Annual Meeting Notice. Notice was published in the Burlington County Times, sent to the Courier Post, filed with the Municipal Clerk and posted in the Eastampton Township Municipal Building, all on January 10, 2009. All requirements of the "Open Public Meetings Act" were satisfied.

Everyone participated in the flag salute.

Mayor Nagler also asked for a Moment of Silence for the Men and Women in Fort Hood, Texas who lost their lives.

Present were, Mayor Keith Nagler, Deputy Mayor Jay Springer, Council Members Louise Campbell, Joseph Maroccia, and Walter Tafe. Also present were: Township Manager Scott Carew, Township Attorney Eileen Fahey and Municipal Clerk Kim-Marie White.

ROLL CALL: Ms. Campbell, Mr. Maroccia, Mr. Springer, Mr. Tafe and Mr. Nagler

PUBLIC COMMENT:

Biagio Leopanto, 36 Willowbrook Way, asked if the fee for the business license program would hurt the business.

Zoning Officer Newcomb said that the fee would be \$25.00 a year and most municipalities require a business license so she would hope the business could pay it and not hurt their business.

TOWNSHIP MANAGER'S REPORT:

Township Manager Carew said he met with the IT Company today and is hoping the Township Attorney could help guide him along the way. The Township has been having power outages and the IT Company has to come out and reboot the system after each power outage. The IT Company has contacted PSE&G and they say they are within their voltage guidelines. It has not cost the Township any more money for them to come out because we have a service contract this year. The cost may go up next year if they have to keep coming out. He said he would reach out to the Board of Public Utilities Authority.

Township Manager Carew wrote a thank you letter to John Geary for his help in moving the phone lines.

Township Manager Carew thanked the residents for passing the referendum. He has been told the newsletter did not reach the residents in a timely manner and he apologizes for that and stated it would not happen again.

Township Manager Carew said the NJ League of Municipalities is looking for a sponsor and a co-sponsor for the Resolution. He said the NJ League's resolution is to formally request that the State Legislature take action to isolate towns that are COAH certified from having additional low income housing forced upon them. Without the involvement of the legislature in the form of state laws, the courts get to legislate from the bench and decide our fates.

Township Manager Carew said Mike Holt, Township Auditor and Gerry Mingin, Chief Financial Officer will give a presentation and an overview of the 2008 Township Audit.

Chief Financial Officer said the duties and responsibilities of CFO as he was appointed in 1991 are: CFO is responsible for Local Contract Law, Bond Law, Fiscal Affairs and Federal Law including rules and regulations promulgated by Division of Community Affairs. The Treasurer is established by tile 40A, but essentially the duties are spelled out in a local ordinance which includes payroll, accounts payable and maintaining all books of record. Essentially the CFO is supervisory and not hands on. From 1991-2005 there was a CFO that was incorporated into the 40 hour work week as Chief of Police and a fulltime treasurer and a part time Tax Collector. In 2005 they merged the two positions of Tax Collector and Treasurer; he contended that the two positions were bigger than one person could handle. The Finance Department needs to have at least a part-time person to help out.

Councilman Tafe said he would like to see an actual corrective plan that would say why it occurred, how can it be prevented from reoccurring and when can they do follow-up to make sure it has been corrected.

Tax Collector

2008-01

Finding: It was noted during our audit that the Tax Collector accepted a payment from a 3rd party that was invalid.

CAP: 2008-01

Staff to be reminded that delinquent payments only to be accepted by Collector. Timely payments can be collected by any staff member. Only cash or check.

2008-02

Finding: That the surety bond for the Tax Collector be increased in order to comply with the promulgated schedules of the Local Finance Board.

2008-02

CAP: Current surety bond will be reviewed to assure compliance with LFB standards.

2008-03

Finding: That an analysis be kept of all 3rd party tax title liens collected and refunded.

2008-03

CAP: There appears to be under-utilization of our Edmunds software system. The township is going to bring in Edmunds to review how we utilize their software, and re-train as needed. The review will take place before December 31, 2009. A report to Council will be furnished by the January 11, 2010 Council meeting. That report will identify if there is a deficiency in the software and/or how we use the software. It will also identify if the current staff levels are currently high enough to perform this duty with the proper utilization of the Edmunds system.

2008-04

Finding: That an analysis be maintained for tax sale premiums collected and refunded.

2008-04

CAP: CFO shall advise Council and Manager by Nov. 23, 2009 if the required analysis can be completed through the Edmunds software and if not possible, how the analysis will be provided.

Treasurer

2008-05

Finding: That the appropriation reserves not to be expended in excess of the reserve amount.

2008-05

CAP: The appropriations reserve will be monitored by the CFO for the first three months of 2010 to assure that all transfers are completed and documented. The Clerk will list this item for follow – up for the first Council meeting in March, 2010.

2008-06

Finding: That the township maintains a functional encumbrance accounting system as required by Technical Directive No. 1985-1.

2008-06

CAP: Because of the checks and balances of the purchase order system through the Edmunds software, it is likely that this problem occurs with our encumbering funds for services provided by our professionals. To fix this problem, the township will enforce a policy that requires any and all work by the professionals to be approved by the Township Manager. Once approved, the Manager will forward quotes/proposals for the work to the Treasurer and the CFO. This issue will further be addressed by the CAP of 2008-05 so the books on the professionals can be closed at the end of the year.

2008-07

Finding: The award documentation for State & Federal grants be maintained and available for audit review.

2008-07

CAP: Documentation for all grants received shall be copied to the Township Clerk and maintained in Clerk's office.

2008-08

Finding: That the reserve of expenditures for trust funds not to be over-expended.

2008-08

CAP: Council shall receive a monthly report of trust fund reserve.

2008-09

Finding: That an analysis be maintained for the Clerk's account and monies be sent to the Treasurer in a timely fashion.

2008-09

CAP: This is a moot point as the Clerk's account is now defunct and everything is deposited into the current fund.

Payroll

2008-10

Finding: The proper bank reconciliation is completed on a monthly basis.

2008-10

CAP: CFO will do all reconciliation on monthly basis. Manager will provide Council with analysis at next meeting as to whether outsourcing payroll may be beneficial.

2008-11

Finding: All quarterly state tax returns are filed timely.

2008-11

CAP: This problem occurred because the Treasurer did not complete the final step to submit to the State. Going forward, the Treasurer will submit written confirmation to the CFO when state tax returns are filed from now on.

2008-12

Finding: That a detailed analysis of compensated absences for sick and vacation leave be maintained.

2008-12

CAP: Established that CFO has required detailed analysis and he will re-submit 2008 data to auditor. CFO will keep excel spreadsheet of required analysis.

2008-13

Finding: That the construction code bank reconciliation and monies received be sent over to the treasurer timely.

November 9, 2009

Page 5

2008-13

CAP: This is a moot point as the Construction Official's account is now defunct and everything is deposited into the current fund.

Fixed Assets Ledger

2008-14

Finding: A fixed asset ledger will be generated in house by the end of the first quarter of 2010. At that time, it will be determined as to whether an appraisal of assets is required.

2008-14

CAP: This is another item that requires a look at our utilization of Edmunds. Regardless of how we can better utilize the Edmunds system to keep our fixed assets ledger, one will be completed in-house by the end of the first quarter of 2010. At that time, it will be determined if an appraisal of assets is required.

APPROVAL OF MINUTES:

September 28, 2009

October 13, 2009

It was MOVED by MAROCCIA and seconded by TAFE that the September 28, 2009 and October 13, 2009 minutes, be approved.

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, September 28, 2009 and October 13, 2009 minutes were approved.

RESOLUTIONS:

Resolution R2009-104 Approval of Corrective Action Plan for 2008 Annual Audit

It was MOVED by CAMPBELL and seconded by MAROCCIA to table Resolution R2009-104.

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, Resolution R2009-104 was tabled to the November 23, 2009 Council Meeting.

Resolution R2009-106 Authorizing Eastampton Township to Enter Into a
Cooperative Pricing Agreement with Burlington County

It was MOVED by SPRINGER and seconded by TAFE to approve Resolution R2009-106.

November 9, 2009

Page 6

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, Resolution R2009-106 was approved.

Resolution R2009-107 Eastampton Township Final Approval of Farmland Application

It was MOVED by TAFE and seconded by MAROCCIA to approve Resolution R2009-107.

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, Resolution R2009-107 was approved.

ACCEPTANCE OF REPORTS:

- Clerk's Office
- Public Works

It was MOVED by TAFE and seconded by MAROCCIA to approve the reports for Clerk's Office, and Public Works.

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, the monthly reports for Clerk's Office, and Public Works were approved.

- Tax Assessor

It was MOVED by SPRINGER and seconded by CAMPBELL to approve the report for Tax Assessor.

ROLL CALL: Ayes - Campbell, Springer, Tafe, Nagler
Nays - None
Abstain - Maroccia

There being four (4) ayes and one (1) abstention, Tax Assessor report was approved.

NEW BUSINESS:

- Business Licenses Program by Zoning Officer Kathy Newcomb

Zoning Officer Newcomb said she has noticed that Eastampton currently does not have a business license program and one important job for a Zoning Officer is to know which businesses are in town legally. She said this would provide checks and balances between her, the Tax Collector, Code Enforcement Officer and the Fire Inspector. It would be a yearly fee and

November 9, 2009

Page 7

renewed every year by the business owner. Home business would be required to have an Eastampton business license.

Township Manager Carew asked how they were going to kick off the program.

Zoning Officer Newcomb said the Tax Assessor's office would have most of the businesses listed in their program and could provide the addresses. The Clerk or the Manager could generate a letter and have it sent to the businesses. Everyone would need to work together and it could take a few years to get it all done.

Councilman Maroccia asked if she has experienced any problems with the business license program in Hainesport.

Zoning Officer Newcomb said she has not run into any problems as long as everyone follows the checks and balances; it has been very positive.

Township Attorney Fahey said she could have a draft ordinance for the next meeting.

- 2010 Council Meeting Schedule

Deputy Mayor Springer said he thought there was a discussion to have two meetings in the summer.

Township Clerk White said she would adjust the meeting schedule for the reorganization meeting.

Councilwoman Campbell asked what everyone thought of conducting a performance review of the Township Manager. The discussion on the audit gave her a lot of insight.

Councilman Tafe said that he should have a review twice a year every six months.

Mayor Nagler said they would do the performance review of the Township Manager on December 14, 2009 in closed session.

Councilman Tafe said that flags are to be at half mass tomorrow.

Township Manager Carew said he would have Rich lower the flags.

OLD BUSINESS:

- Sustainable Jersey

Township Manager said he needs Council to endorse the energy audit.

It was MOVED by TAFE and seconded by CAMPBELL endorsing the energy audit to become certified.

November 9, 2009

Page 8

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, the energy audit was endorsed.

- Economic Development Topics

Township Manager Carew said nothing new since the last meeting

- Codification

Township Clerk White said nothing new to report.

- Comcast Franchise Renewal Agreement

Township Attorney Fahey said she is waiting on some information from the Board of Public Utilities.

- Recycling Cart Program

Mayor Nagler asked if any old bans can be used to pay for the carts.

- Updating existing Recycling Ordinance

Township Attorney Fahey said the meeting has not been set up yet.

- Determination of Redevelopment Needs Study prepared by Mark Remsa, Burlington County Economic Development and Regional Planning (LUPB meeting 12-7)

Township Manager Carew said they are waiting for the Land Use Planning Board to have a meeting.

- Sinkhole Repairs

Township Manager Carew said they have funds to repair the sink holes.

STAFF AND PROFESSIONAL COMMENTS:

Township Clerk White said she leaves for the NJ League of Municipalities convention on Tuesday and will be returning to work on Friday. Upon returning the packets will be emailed out.

PUBLIC COMMENT:

Joseph Iacovitti, Acting President of Fraternal Order of Police, said "Mister Mayor and Members of Council I thank you for your time in allowing me to speak tonight. I am Joseph Iacovitti

November 9, 2009

Page 9

acting President of Eastampton Township FOP Lodge #146. Approximately two months ago the Township Manager met with the FOP Lodge at your direction. He advised us of the current financial burdens that the Township will face in 2010. He stated that without the assistance of the Lodge members of the Police Department may face layoffs. A dollar amount was then given to avoid layoffs. After several meetings with the Lodge members a proposal was made and given to the Township Manager. This proposal as currently written would save the Township far more than was asked of us. The only request that the Lodge has is that a "No Layoff Clause" be granted. The FOP fully understands the burden to which the Township residents face. As we all are in this recession together, however the members of this FOP Lodge want to assist the residents with this concession. The residents of this Township deserve the service to which they receive and cannot afford a decrease in protection. I would also like to add that there is not one FOP Lodge Member in this room that believes that they are getting a free ride. Each and every night we say goodbye to our families and hope that we return home safely. We know we took a job where the life expectancy after retirement is far below that of average. We have seen that in the passing of members through the years. We know that we would miss most holidays with our families. However we made a choice and at no time was that choice easy or free".

Township Manager Carew said the revenue numbers would not be in until mid year of 2010 and the problem could be worse when all the numbers are in so therefore that is why a no layoff clause can be written into the contract. He is willing to ask them to reopen again if that is the case.

Mayor Nagler thanked the Police Department for all their help and everything they do for the residents.

Biagio Leopanto, 36 Willowbrook Way, said he appreciates the Police Department.

It was MOVED by MAROCCIA and seconded by TAFE to adjourn meeting at 10:22 P.M.

ROLL CALL: Ayes - Campbell, Maroccia, Springer, Tafe, Nagler
Nays - None

There being five (5) ayes and no nays, the motion passed to adjourn the meeting.

Kim-Marie White

Kim-Marie White
Municipal Clerk

Keith Nagler

Keith Nagler
Mayor

Approved: December 14, 2009