

**EASTAMPTON TOWNSHIP COUNCIL  
REGULAR SESSION MINUTES  
November 13, 2006, 7:30 p.m.**

**Call to Order**

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

**Pledge to the Flag**

Everyone participated.

**Opening Statement**

Notice of this meeting was published in the Burlington County Times on January 6, 2006. Notice was posted on the Municipal Bulletin Board and sent to the Courier Post for information

**Roll Call**

PRESENT: Mr. Renzulli, Mr. Nagler, Ms. Russomanno, and Mr. Hartman.

ABSENT: Mr. Paneque

ALSO PRESENT: Township Solicitor Eileen Fahey, Township Manager Scott Carew and Township Clerk, Linda Lovins

**Township Manager's Report**

Manager Carew pointed out that later this evening the CDBG Grant will be discussed.

\$100,000 - \$150,000 with Contracts for Roads and the rest is going to equipment for Public works.

There was a meeting relative to New Jersey Safe Routes to School. Mr. Krastek from the school board was unable to attend. Manager Carew went on behalf of both the Township and the school and will be meeting with Mr. Krastek to update him. Grants to make the routes safer for children to walk to school was the topic. The sidewalk and adult crossing guards will be considered. Mr. Carew has spoken with Chief Mingin and together they will help the Township set up the program as far as meeting the requirements and providing the uniforms, etc.

Chief brought up that if we hire five crossing guards and one doesn't show up we would have to put an on-duty police officer in that person's place. Mr. Krastek advised that the school has already taken steps for the school safety patrol.

Mayor Hartman asked if there was a meeting set up yet. Mr. Carew stated that he has not set up that meeting as of yet.

Once again, letters were received from Mrs. D'Adamo. Council will split the letters up four ways.

Chief Mingin and Mr. Carew have been going over the budget forecast. Unfortunately enough numbers are in for the Township to know that there will be some problems.

Mr. Renzulli spoke to Mr. Krastek who asked that he remind Manager Carew that Mr. Krastek asked him to invite Council to a joint meeting on November 28th. This keeps the two bodies working together. Clerk Lovins will prepare a special meeting notice.

Mayor Hartman spoke regarding the Mayor 's Wellness Campaign as it relates to what Manager Carew was discussing with the school safety.

Chief Mingin stated that Manager Carew is right when he stated that crossing guards are governed by the Police Department and he is also correct in saying that once you establish a post it must be manned.

There is a formula that needs to be sent to Traffic Engineer who will decide whether crossing guards are needed. It is based on volume of traffic and breaks between flows.

Chief Mingin stated that Council should keep in mind to heed the Traffic Engineers advice.

Chief Mingin gave a few examples of when they had to deploy officers as crossing guards. Chief Mingin supports safe crossings and stated that there is nothing more important than the safety of the children.

Mr. Nagler stated that Mr. Krastek along with some 6th and 7th grade teachers are instituting the safety patrol.

### **Gerald Mingin, CFO - 2007 Budget Forecast**

Manager Carew and Chief Mingin have been in contact throughout the year with regard to the budget. The State clearly says that the budget has to be under CAP.

Chief Mingin educated everyone on the CAP procedure. At one point the State allowed Townships to bank any unused CAP money. The Township was having a 1% left over. In 2004 the State mandated that the CAP go from 5% maximum cap to 3.5%.

In 2006 the cap was \$133,000. That is what the Township used. This year the Township's CAP is \$106,000 spending is going up and CAP is dwindling.

Some appropriations are a concern in order to make CAP in 2006 and Chief Mingin takes full responsibility because he cut appropriations and the budget grossly ran short. When the transfer list is reviewed it is clear.

Chief Mingin hopes he doesn't have to transfer any further appropriations. There is about \$90,000- \$100,000 in contractual obligations. Sanitation was way off. With the new sanitation program we can save \$40,000 roughly. Gasoline is starting to go up. The Township needs to fully budget for 2007. The Township no longer has a Interlocal Agreement with the school for the \$61,000.00. Those salary and wages need to go back inside cap.

The Township is currently \$65,000 over CAP. Chief Mingin does not know where this money is going to come from. It is going to cost the Township more to operate in 2007. The cost of living has gone up. Some of the operating expenses need to be raised. Crossing Guards may have to be considered as well as uniforms and salaries.

The courts are under mandates to enhance security with the use of the Police Department. Metal detectors are needed and two people to man those positions. Chief Mingin cannot

use a full-time police officer. The Supreme Court can shut down the court if the Township does not comply.

Chief Mingin doesn't know where the Township is going to be next year.

Mayor Hartman asked why Burlington County isn't looking to regionalize courts like they are doing in another county.

Chief Mingin does not think that the County can mandate that. Solicitor Fahey stated that there are some courts that have a heavy work load. Deputy Mayor Nagler asked about looking at shared services.

Manager Carew stated that the Township is already in the process of that but unfortunately that isn't going to happen before the Township needs to adopt a budget for 2007.

Councilman Renzulli stated that it may not be feasible for the 2007 budget but possible for 2008.

Chief Mingin spoke about surplus. Councilman Renzulli asked what would happen if we didn't abide by the State Mandate to not put in the security that they are requiring. Chief Mingin stated that it was the Supreme Court mandated it and they can shut it down. Chief Mingin is estimating \$5,000 in the equipment and an additional \$5,000 in salaries.

Councilman Renzulli stated that residents don't care if it is in cap or out of cap.

Councilman Renzulli asked if we could get a ruling from DCA. Solicitor Fahey stated it hasn't gone that far either.

Chief Mingin stated that there is no security in that building and it is long overdue.

Councilman Renzulli wants to see a ruling from DCA stating that the Township has to do this.

Councilman Renzulli asked what happens if the Court is closed. Chief Mingin stated that there would be no court revenue and the police wouldn't write any tickets.

Ms. Fahey suggested having Judge McClosky talk to the assigning judge. Councilman Renzulli wants to see if we can get the State to pay for this state mandate. Manager Carew will see if he can get together with neighboring Townships of the same size to see if we can do something outside of the shared services.

Deer carcass mandates were discussed.

Deputy Mayor Nagler asked how these facts of the new budget effects the interim budget. Chief Mingin thinks that the numbers he has the Township can rely on. Chief Mingin stated that the Township needs a plan and it has to be as proactive as possible. Any money that is spent in the interim has to be incorporated into the new budget.

The Township needs a plan right now and needs to implement it. Chief Mingin stated that the Township must prepare for the worst but hope for the best. He asked Council to think about the situation and make some decisions.

Linda Rogers advised Mr. Mingin that there is only about \$200,000 in added assessments.

The Township ended with a \$1,055,000.00 in 2005 and used \$650,000 to support the 2006 budget. The goal is to come in at the same number. Right now Chief Mingin is looking at \$750,000 to support the budget.

Mayor Hartman asked for Chief Mingin's suggestions and time frame.

Chief Mingin stated that if the Township doesn't replace the surplus right now there is going to be trouble.

Chief Mingin reminded Council that after re-assessment there were tax appeals. The rate was based on the original assessments. The Township lost \$188,000 in tax appeals and therefore will be about a \$35,000 shortage in tax collections. Chief Mingin says if the Township puts back what was in surplus at the end of 2005 the Township can be somewhat victorious.

Chief Mingin stated that he should have been here last year at this time to forecast 2006.

Deputy Mayor Nagler asked Manager Carew where the Township stands administratively. Manager Carew stated that the important thing to keep in mind is that certain costs are mandatory and only some of those are actually known with the amount that they are going to go up.

Mr. Carew spent the last week looking where the Township has some discretion and to make cuts without hurting the services that are provided. Salaries went up 3.5% last year and 4% this year because they are contractual.

Mr. Carew stated that we have to take this in one or two steps. Costs are going up at a higher rate than they did last year. Manager Carew stated that he needs direction from Council and reminded them that some of the cuts may effect services that are provided.

Deputy Mayor Nagler asked if we needed to cut \$95,000. Chief Mingin stated he would feel good if it were around \$100,000.

Chief Mingin talked about taking things out of CAP and how they go back in. Insurance rates are going up 5% - 10% increase.

Mayor Hartman asked if there was anything that could be refinanced. Chief Mingin stated that the Township can defer a couple of bond anticipation notes, however that is just what he has been doing which is only putting a band-aid on the situation and this is putting off the problem.

Right now the Township will not be at CAP.

Councilman Renzulli asked if we get to November or December and there is no money to transfer does the Township shut down. It was explained that if the Township overspends it goes into CAP from next year.

Chief Mingin stated that it is time to get back on course. Mayor Hartman asked for him and the Manager to get together and make some suggestions. Manager Carew stated that the Township needs to make decisions before the adoption of the temporary budget. Deputy Mayor Nagler asked if the decisions would be made by the next meeting. Manager Carew stated that it would.

Manager Carew stated that the options are limited. Operating Expenses cannot be cut.

Manager Carew stated that there are only a few positions that are not state mandated or under contract. Manager Carew will have his suggestions by next Monday. Manager Carew would like to talk to a few employees about there future plans.

Council was reminded that this is not an action of Council. Cuts due to financial reasons falls under the Manager's responsibilities but he would certainly like their blessing. Ms. Fahey explained that Tax Assessor, Tax Collector, Clerk, Chief Financial Officer are all state mandated positions. It was noted that the construction department is only staffed by two part-time individuals and therefore, there is no room to cut positions from that department.

Manager Carew stated that he is looking at positions and not people. They will look at mandated positions and then positions by priority. It was stated that there is no room to look at person rather than the position.

Mayor Hartman asked if there could be a trial going without the services for six months. Solicitor Fahey advised against that. She stated that the unions would frown on that. Manager Carew doesn't foresee having the money in six months to refund those jobs.

It was stated that the Township needs to do what it needs to do to bring the Township under CAP.

Chief Mingin stated that the Township has fallen on tough times. Deputy Mayor Nagler agreed that it is better to look at it now rather than waiting too long and having to cut even more at some point in the future.

The state aid is also an uncertainty. Council thanked Chief Mingin.

### **Public Comments**

Mayor Hartman opened to the public at 8:37 p.m.

Al Brusco, Butternut Court. Mr. Brusco wanted to bring to Council's attention to a situation. He asked who foots the bill and who replaces the sidewalks and the curbs. Manager Carew stated that it is the homeowner's expense. Mr. Brusco stated that the road is cracking down the center and on the sides. The water is ponding and undermining the aprons of the driveways. Backing a car out bottoms out the car. Mr. Brusco apologized for the budget crunch but he has been battling this for 12 years and doesn't feel anyone is paying attention to the situation.

Mr. Carew stated that he is paying attention to the situation. ERI has been out there twice. Nancy doesn't feel that the problems are that big as opposed to other roads in Town. Manager Carew stated that it is not fair to say that the Township is not paying attention to this matter. Mr. Brusco presented pictures that he took today.

Mr. Carew stated that no one has an answer for him relative to whether the hole is sinking or not. Mr. Carew stated that Nancy Jamanow is going to take another look at it. Mr. Brusco feels that if it gets worse a child may trip on it and there could be problems. He is not only looking at his concern but concern for the Township.

Mr. Carew stated that the Township is planning on taking care of the roads piece by piece year by year and the order in which they are done would be based on how bad the road is and how often it is used. Right now ERI is not seeing the road as badly as Mr. Brusco sees it. Mr. Carew would like to bring Nancy out there to witness it with Mr. Brusco. Mr. Brusco thanked Council for listening.

Kevin Klaus, Windham Drive regarding crossing guards and safety patrol. Mr. Klaus understands that there is tough times now. Mr. Klaus reaffirmed his thoughts of the safety of the children. He stated his concerns with a child being hit by a car or ending up on a milk carton. Mayor Hartman asked if this has been brought up at a school board meeting. Mr. Klaus stated that it was when the community school was discussed.

Chief Mingin reiterated his thoughts from earlier. Councilman Renzulli asked if there was something the Township could do in the interim before the study is done. Councilman Renzulli suggested getting a list from the school of what ages and areas the kids will be coming from. The walking bus situation was discussed. Deputy Mayor Nagler stated that he believes it is up to the parents to make sure their child arrives safely at school and until the steps are taken by the Police Department. The Chief stated that he will work with the PTA as the matter is ongoing.

Jim Hansen, Willowbrook Way asked if the re-assessments that the State kicks back was ever brought to Council's attention. Mr. Renzulli stated that Mr. Mingin did advise Council of the downside of the re-assessment. But the County stated that if the Township did not do it they would take the Township to Court. Once the Township gets below a certain percentage the County will mandate the Township do it.

Mr. Hansen felt it was deceptive using the tax rate in political materials. Mr. Hansen agrees with Mr. Renzulli's statement relative to the mandates.

The Emergency Squad funding was questioned. Councilman Renzulli stated that the budget was passed on the understanding that the Fire Department was going to do what they could to make the emergency squad run.

Deputy Mayor Nagler stated that they are their own governing body. Their voter turnout is about 60 people in February. Council still doesn't know what the Fire Department did with the money since they are now contracting with America.

Councilwoman Russomanno stated that this was all done with the intent that there would be better local services and a better emergency squad.

Mr. Hanson asked where the Township stood with 13 Willowbrook which is a group home that is a non-profit which has been taken off the tax rolls. Mr. Carew stated that there have been a lot of complaints relative to that property only being an office and there are no people living there. The construction official has confirmed that there are at least three people living there.

Mrs. Hansen stated that these are mental residents and she has a third grader and does not feel safe.

Mr. Carew stated that they are not breaking any ordinances or any laws. Chief Mingin verified that they are not breaking any vehicle and traffic law. He told them that they will continue to look into it.

Mrs. Hansen asked if they had any rights. Manager Carew advised that Dave Weirsma, Rich Parks and Steve Murray have all been out there twice. They all witnessed workers there with patients.

Mayor Hartman stated that Mr. Pipes has been doing this for 20 years so he knows how to do it.

Mayor Hartman closed to the public at 9:19 p.m.

### **Approval of Current Year Minutes**

Change page 4, paragraph 3 delete “commercial” the word “ratables” was all that was read.

Motion by Deputy Mayor Nagler, seconded by Councilman Renzulli to approve the following Minutes: October 23, 2006 Regular Session as revised; and October 23, 2006 Closed Session All voted in the affirmative.

### **Resolutions (Consent)**

Manager Carew gave a brief synopsis of the Resolutions.

Motion by Councilman Renzulli, seconded by Councilman Nagler to adopt the following Resolutions:

- 2006-118 Approval of application for Raffle License for Temple Har Zion;
- 2006-119 Refund Taxes Paid from January 1, 2006-December 31, 2006 and Cancel Taxes Due for the First Half of 2007 for Block 902, Lot 17
- 2006-120 Award of Contract for Purchase of a Rubber Tire John Deere 310 SG Backhoe Loader
- 2006-121 Award of Contract for Purchase of Ford F-750 13 Cubic Yard Rear Loader Trash Truck
- 2006-122 Release Performance Guarantee for Eastco 1, LLC
- 2006-123 Refund Overpayment of Taxes for Block 1000.12, Lot 21

All voted in the affirmative.

### **Resolutions (Roll Call)**

Motion by Councilman Nagler seconded by Councilman Renzulli to adopt the following Resolution:

- 2006-124 Issuance of Bond Anticipation Note in the Amount of Sixty-Six Thousand Eight Hundred Eighty Dollars (\$66,880.00) With Respect to Financing the Purchase of a Generator by the Township of Eastampton and as Authorized by Bond Ordinance No. 2005-19

Upon roll call vote, all voted in the affirmative.

Motion by Councilman Renzulli seconded by Deputy Mayor Nagler to adopt the following Resolution:

- 2006-125 Issuance of Bond Anticipation Note in the amount of \$104,500.00 with Respect to the Purchase of a 13 yard Trash Compactor by the Township of Eastampton as Authorized by Bond Ordinance Number

Upon roll call vote, all voted in the affirmative.

**Old Business**

None.

**New Business**

- 2007 CDBG Block Grant for Improvements to Oxmead Road from Jacksonville Road to the Springfield Township Line.

Motion by Deputy Mayor Nagler, seconded by Councilman Renzulli to set the public hearing for the 2007 CDBG Block Grant for November 27, 2006 at 7:30 p.m. All voted in the affirmative.

**Comments**

Deputy Mayor Nagler congratulated Mayor Hartman on the Mayor's Wellness grant for \$500.00.

Mayor Hartman advised that on Wednesday, the day before Thanksgiving, he will be appearing on Channel 47.

**Closed Session**

Motion by Councilman Renzulli, seconded by Deputy Mayor Nagler to adopt Closed Session Resolution 2006-126 to enter into closed session to Discuss Contract Negotiations, Litigation negotiations and matters relating to privilege, the purchase lease or acquisition of real property. All voted in the affirmative

Motion by Councilman Renzulli, seconded by Councilman Nagler to enter back into regular session at 9:45 p.m . All voted in the affirmative.

Motion by Councilman Renzulli, seconded by Deputy Mayor Nagler to confirm Council's approval for the Manager, Scott Carew, to reside outside of Eastampton Township for the duration of his tenure as Township Manager with Eastampton. All voted in the affirmative.

**Adjournment**

Motion by Councilman Renzulli, seconded by Councilwoman Russomanno to adjourn at 9:47 p.m. All voted in the affirmative.

Respectfully submitted,

Linda M. Lovins, RMC  
Township Clerk

CLOSED SESSION MINUTES

November 13, 2006

A letter received by Kent Pipes regarding changing the inspection process was discussed. This matter is held. The land that was spoken about at the last meeting is all rented to the Hunting Club. The tax lien will count by the end of the year.

The Township Manager 's position and residency was discussed.

RFP's for professionals was discussed. The Township Solicitor suggests that the Township does RFPs for the 2007 year.

It was agreed that Council will send out RFPs this year including for Engineer.

Fire Inspector was discussed as it relates to the fire department.

Ms. Fahey reminded council that if any positions need to be cut all conversations relative to that be had with Scott and no one else.

The Agreement with the Fire Commissioners was discussed. The Fire Commissioners using America for emergency services was also discussed

Respectfully submitted,

Linda M. Lovins, RMC  
Township Clerk