

**EASTAMPTON TOWNSHIP COUNCIL  
REGULAR SESSION MINUTES  
January 8, 2007 7:30 p.m.**

**Call to Order**

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

**Pledge to the Flag**

**Opening Statement**

Notice of this meeting was published in the Burlington County Times on January 3, 2007 and sent to the Courier Post for information and notice was posted on the Municipal Bulletin Board.

**Roll Call**

PRESENT: Mr. Maroccia, Mr. Renzulli, Mr. Nagler, Mr. Hartman and Mr. Tafe

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

**Public Comments**

Brian Naulty, 1 Oxford Court. Mr. Naulty is here tonight to request a change to the fence ordinances in reference frontages when a home has three frontages.

Mr. Naulty has three frontages. He commented that very many homes on his road have fences extremely close to the road.

Manager Carew stated that Mr. Naulty has been patiently dealing with Township offices for about six months.

Manager Carew gave a brief synopsis of Mr. Naulty's situation. He explained that his situation is unique due to his three frontages. If he adheres to the setbacks it will cut off half of his front yard. There is a sign for the Vistas that he has maintained for many many years at his expense. There is no easement that allows the Township to keep this sign on his property.

Manager Carew stated that there are many homes on Knightsbridge that have fences located five feet or less from the sidewalk. Mr. Carew made note that those fences were probably erected prior to the existing ordinance being enacted.

The cost of the variance without a guaranty is the issue.

Councilman Hartman commended Mr. Naulty on the two Christmas trees that he decorated on the sign entering the Vistas.

Councilman Hartman stated that Mr. Naulty needs to erect the fence for his son as a safety issue as well.

Ms. Fahey advised Council that to do an ordinance change the Township is looking at many properties that would be affected by it. She also stated that a suggested change of the ordinance would go to the Township Engineer and the Planner and then be considered at a Planning Board Meeting.

Ms. Fahey has also advised Council that the conditions and hardships that Mr. Naulty can show would be a very good reason for a variance to be granted by the Land Use Board.

Manager Carew stated that he has been thinking about some type of form so that the residents can go through the process without going through the process and paying the fee.

Ms. Fahey asked Council if they thought that they may be stepping into the jurisdiction of the Land Use Board?

Mayor Nagler asked if Mr. Naulty has considered applying for the variance. Mr. Naulty asked what happens if one of his neighbors doesn't want the variance approved. Ms. Fahey explained that one neighbor won't affect the outcome. There are a lot of considerations to be taken into for a bulk variance to be granted by the Land Use Board.

Mr. Renzulli stated that the fees are on a fee per applicant basis. Councilman Renzulli stated that if the Township just starts adjusting fees for everyone that has a shed that is one foot higher, etc. the revenue will fall short of the actual cost that is incurred in processing these applications. Mr. Renzulli stated that looking at the three-front fence ordinance is a place to start.

Solicitor Fahey stated that the place to start is the Township Engineer.

Mr. Renzulli stated that if the Township started changing ordinances it would then open it up for people with two fronts, etc.? Mayor Nagler asked Scott to get with Nancy. He stated that he would. He stated that Nancy has already driven by there.

Mr. Naulty stated that by adding the fence it will make the corner aesthetically pleasing. The fence will enhance it not take away from it. He stated that the Township has a building on his property and he has never asked for anything in return.

### **Township Manager's Report**

The School Administration has invited Council to attend the January 23rd School Board appreciation night which begins at 7:30 p.m. It is School Board Appreciation for which they are doing a resolution. He is passing the invitation to Council and asking for support in the form of a proclamation. Council asked Clerk Lovins to prepare a Proclamation.

Motion by Councilman Hartman, seconded by Councilman Tafe to create a proclamation to honor the School Board Members. All voted in the affirmative.

County Community Development Block Grant meeting is coming up. Councilman Hartman sat on that board last year it is fairly basic and routine until the funding starts drying up. Mr. Carew asked if one Councilman would like to go with him to please let him know. The meeting will take place January 25, 2007 at 5:30 p.m. at the County building on Woodlane Road in Westampton.

There was a letter from Family Service regarding affordable housing. They are looking for

support from Council. Family Service is the organization that manages the house at 13 Willowbrook Way that is owned by Salt and Light. Manager Carew reminded Council that there were concerns from neighbors relative to the cars and the house being used as a business rather than a residence.

Councilman Hartman asked if this was the first thing that has been done since the neighbors were here in the fall. Mr. Carew stated that since that time Family Service held an open house for the neighbors to visit and discuss concerns.

Councilman Tafe asked to be brought up to speed on the property at 13 Willowbrook Way. Mr. Carew did so.

Councilman Tafe asked if the Township regulates the homes as far as how many people are living there. Solicitor Fahey stated that they are held to the Health Codes which regulates so many people per square footage.

Councilman Hartman stated that he has not heard of any problems.

Councilman Tafe asked how long 13 Willowbrook been in business. It was stated 2 1/2 to 3 years.

Manager Carew asked if the Council would like them to come in. Councilman Renzulli stated in his opinion this is just someone coming in to buy property and we do not give letters of support.

Councilman Renzulli stated that it is a necessary operation if it is well-run and the amount of them controlled. This would bring the Township's total to about 10.

Manager Carew was at Maple Shade today relative to Interlocal Services Agreement for Assessor services. Maple Shade plans on introducing their budget in February and adopting it in March. Manager Carew asked for an ordinance to be introduced at the next meeting to facilitate this Agreement.

Manager Carew explained that this agreement allows both Townships to pull the salaries of those employees out of CAP and possibly reduce operating expenses.

Councilman Hartman asked how much the Township will save. Mr. Carew stated about \$42,000.00 in CAP and a couple thousand in operating expenses.

Manager Carew wanted to dispel any notion that the Township is running in the red. The Township is not overspending.

The CAP issue is going to force Towns all over the state to do shared services when the CAP is at 3 1/2% and salaries are going up 4 and 4.5%.

Mr. Carew met with the Recreation Committee after the Reorganization meeting last week. There was some concern regarding loss of control and loss of identity. Mr. Carew asked a couple of members to participate in the meetings. The other Township provides a greater wealth of services than Eastampton. Increased programs, CAP relief and cost savings are part of the benefits of a combined recreation department.

Councilman Hartman asked if the Townships are still looking at doing regionalization.

Manager Carew stated that they are looking at regionalizing youth sports which is a different program.

Overall recreation services are being looked at between two Townships.

Four municipalities are participating in talks regarding shared services for construction. That cannot be accomplished this fiscal year due to the many layers involved in accomplishing such a goal.

Manager Carew stated that Chief Mingin will be at the next meeting to give an update on the budget.

It appears that the Township has now resolved the CAP issue.

Mary Howell's last day is Wednesday. Mary served as the Deputy Manager. There has been speculation regarding her job being eliminated. For the record - the decision to lay off Ms. Howell was made strictly on the position. The Deputy Manager position was cut out of the Township's 2007 budget. There are very few positions that are not required by Statute or under contract with a local bargaining unit. There has been speculation of the situation. She has been a phenomenal employee and as the Manager I am going to miss her more than anyone.

Introduction of the ordinance for tax assessor services was approved to be drafted for next meeting. Eileen Fahey gave some background as to the need for the ordinance and shared services as it relates to CAP.

Motion by Councilman Hartman seconded by Councilman Maroccia to support Interlocal Services for Tax Assessor with Maple Shade. All voted in the affirmative.

Mr. Carew introduced Rob Willis from AVR.

### **Robert Willis- AVR- (Solid Waste Removal Bid Specs)**

Mr. Willis gave background on MACCS. Municipal Apartments Condominiums. He stated that is about a \$650,000 savings to all municipalities involved collectively. There is a grant at DCA being reviewed for the MERTS Agreement. \$68,000.00 for 14 municipalities and one Board of Education to look at any new technology. He stated it would take a year and a half to evaluate.

Mr. Willis handed out a summary of three different ways that the residential pick-up can be bid. He briefly went through the outline.

Councilman Hartman pointed out that the apartment complexes have a lot of trash and overflows the dumpsters. Mr. Willis will survey the situation by a site visit for two months and if it continues he will evaluate.

Mr. Willis advised that the only way to decrease tipping fees is to increase recycling awareness. Mayor Nagler stated that the Township is paying about \$167,000 annually for tipping fees.

Mr. Willis advised that he is here to write bid specs that will make competition and get

people to sharpen their pencils.

Mr. Carew asked Mr. Willis to explain the trash truck purchase and “spending to save” concept. Mr. Willis has been in contact with Wrightstown regarding the Township’s trash truck. Mr. Carew asked him for a cost savings perspective.

He stated that taking the private roads on was a smart move in the big picture. He advised that it will be cost savings as a whole.

Councilman Renzulli asked if there would be substantial cost savings from option 2 to option 3. Mr. Willis stated that there no big savings between 2 and 3. He put the numbers on paper to show the number of stops that are made.

Mayor Nagler asked when the Township’s month-to-month Agreement is good with Waste Management. Manager Carew stated June 4, 2007.

Councilman Hartman asked about the three-month pickup in the summer. It was stated that trash setting out in the summer and vegetation were an issue. Mr. Willis suggested having the 13 -yard pick up vegetation in the summer. Mr. Carew made mention about having more residential units around June 4. Mr. Willis stated that wasn’t a problem.

Councilman Hartman asked if the Township could change options from year to year. Mr. Willis stated that the only way to do that is with a one-year contract and re-bid it with a different option.

Mr. Renzulli asked what impact the day of the week has on trash. Mr. Willis stated that the Township does not want to have it on Monday due to the amount of holidays that fall on Monday.

Mr. Willis stated he would go out to bid with all options.

Mayor Nagler re-opened to the public at 9:00 p.m. Hearing no comments, he closed to the public.

### **Approval of Previous Year Minutes**

Motion by Councilman Hartman, seconded by Deputy Mayor Renzulli to approve the following Minutes:

- December 11, 2006 Regular and Closed Session Minutes.

All voted in the Affirmative with Councilman Maroccia and Tafe abstaining.

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

Motion by Deputy Mayor Renzulli, seconded by Councilman Maroccia to approve the following Minutes:

- January 4, 2007 Reorganization Minutes.

All voted in the affirmative.

## **Old Business**

Ms. Fahey stated that she was following up on COAH. She needs to prepare draft ordinances.

These ordinances will be placed on the agenda for February for third-round Certification.

Ms. Fahey advised that the Evansville Fire Department has been purchased by a tax exempt company. The Assessor has denied tax exempt status for this year because the property was not in use on October 1 as a tax exempt company.

## **New Business**

- William Gooden has resigned from the Environmental Commission. Mayor Nagler has appointed Elizabeth Faircloth who works for Division of Environmental Protection. She works in the educational section of parks and forestry. She is appointed until December 31, 2009.

## **Comments**

Mr. Tafe asked when the calendar would be out. Councilman Renzulli stated by the end of the month they should be out.

Motion by Councilman Hartman, seconded by Councilman Maroccia to adopt closed Session Resolution 2007-22 to enter into closed session to Discuss Attorney Client Privilege at 9:07 p.m. All voted in the affirmative.

Motion by Councilman Hartman seconded by Councilman Renzulli to reconvene at 9:25 p.m. All voted in the affirmative.

## **Adjournment**

Motion by Councilman Hartman, seconded by Councilman Maroccia to adjourn at 9:30 p.m. All voted in the affirmative.

Respectfully submitted,

Linda M. Lovins, RMC

CLOSED SESSION MINUTES  
JANUARY 8, 2007

Ms. Fahey went over ethics with Council.

Respectfully submitted,

Linda M. Lovins, RMC  
Township Clerk