

**EASTAMPTON TOWNSHIP COUNCIL
REGULAR SESSION MINUTES
February 26, 2007
7:30 p.m.**

Call to Order Mayor Nagler 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 9, 2007. Notice was posted on the Municipal Bulletin Board and sent to the Courier Post for information.

Roll Call

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

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

Fire Commissioners opened their meeting. Clerk Muccolini did roll call.

Township Manager's Report

Manager Carew gave Council an update on the budget. The Township will be ready to introduce on March 26, 2007. The public hearing and adoption will, most likely, be at the May 14th meeting. The introduction has been moved back from April because the sanitation bids are due April 26 and that expense will be calculated at that time.

Both the Chief and Manager would like to offer another budget workshop. Council concurred. Manager Carew asked if March 19 would be good for the workshop. Clerk Lovins will give notice of this meeting.

Manager Carew received the bid specs from Robb Willis.

Manager Carew will be meeting with Westampton Township to discuss shared services for Recreation. Kathy Pagano, Cynthia Fooks and Terry Montgomery will also be in attendance at that meeting.

The Chief and Manager will be attending a shared services meeting next week. The topic will be bonding through the Bridge Commission who has the county's AA rating.

Manager Carew pointed out that the Township ran out of salt during the first snow event. The Township gets salt from the County and the County had run out. Fortunately the weather warmed up. Manager Carew apologized to anyone whose road was not taken care of as well as it should have been. The Township now has more salt hopefully we will not

need it.

The Township got approvals for Green Acre Funding for this Year. The Township is expecting \$300,000.00. Manager Carew should have the paperwork this week. That money will go toward paying off the open space and hopefully to reduce the open space tax this year.

Public Comments

Mayor Nagler opened the meeting for public comment at 7:38 p.m. There were no comments.

Public Hearing and Final Adoption of Ordinance - Roll Call

Mayor Nagler opened the Public Hearing at 7:40 p.m.

Motion by Councilman Hartman, seconded by Councilman Tafe to adopt the following Ordinance as amended:

2007-01 An Ordinance Amending Chapter 50 "Fire Prevention" to Transfer the Local Enforcement Agency to the Board of Fire Commissions or Fire District No. 1.

Upon roll call vote, all voted in the affirmative.

Approval of Current Year Minutes

Motion by Councilman Renzulli, seconded by Councilman Maroccia, to approve the February 12, 2007 Regular Session Minutes. All voted in the affirmative.

Acceptance of Reports

Motion by Councilman Maroccia, seconded by Councilman Tafe, to accept the following reports for January 2007:

Township Clerk	Tax Collector
Treasurer	Public Works
Assessor	
Court	Police

All voted in the affirmative.

Resolutions

Motion by Councilman Hartman, seconded by Deputy Mayor Renzulli to adopt the following Resolutions:

- 2007-32 A Resolution to adopt the provisions of NJSA 52:14.17.38 Under which a Public Employer may Agree to Pay for the State Health Benefits Program Coverage of Certain Retirees. Upon roll call vote all voted in the affirmative.
- 2007-33 A Resolution to Amend Resolution No. 2007-23 to Adjust the Amount of the Bond Anticipation Note Authorized by Said Resolution from \$875,000 to \$750,000. Upon roll call vote all voted in the affirmative.
- 2007-34 Resolution Authorizing Execution of a Treatment Works Approval Application for the Sanitary Sewer for the General Village Development for Block 600, Lot 5. Upon roll call vote, all voted in the affirmative.

All voted in the affirmative.

Introduction of Ordinance and Set Public Hearing

Motion by Councilman Maroccia, seconded by Deputy Mayor Renzulli to introduce Ordinance 2007-02 An Ordinance to Increase the Appropriations in the 2007 Municipal Budget by 3.5% over the 2006 Budget in Accordance with Public Law 1983, Chapter 49. and to Set the Public Hearing for March 12, 2007. All voted in the affirmative.

Approval of Bill List

Motion by Councilman Hartman, seconded by Councilman Maroccia to approve the February 2007 Bill List. All voted in the affirmative.

Old Business

None.

New Business

- Motion by Councilman Renzulli, seconded by Councilman Hartman, to set the public hearing on the Fire District Budget for March 12, 2007. All voted in the affirmative. Clerk Lovins will advertise.
- Fire District Budget Workshop - Mayor Nagler asked everyone who wished to speak to do so at the podium. Mayor Nagler imposed a two minute time limit with

a one minute rebuttal from Council.

Chairman La Pierre gave a brief history of the tax values as it relates to the fire district. He advised that they consolidated fire stations. When budget went to the voters this year the commission cut it \$25,000 and \$9,250.00 which reduced tax rate from 6.1 to 5.8. giving residents a decrease over last year.

Chairman La Pierre explained the fixed costs, worker's compensation, water line to the residents, cost of the professionals, insurance. Chairman La Pierre explained that significant cuts will put the lives of the members as well as members of the public at risk.

Chairman La Pierre further explained that property maintenance, equipment, apparatus and buildings are essential to maintain business. The board of fire commissioners would respectfully request that council look very close and carefully at their already reduced budget before making any decisions that may negatively impact the lives of the members or community.

Mayor Nagler stated that everything will be taken into consideration this evening.

Mayor Nagler would like to hear from Fire Commissioner where cuts can be made. John La Pierre stated that he will suggest no cuts and will leave the decision to Council to make the cuts.

Councilman Tafe read a quote from La Pierre from the Burlington County Times where he said if the budget is rejected by the voters they will cut more. Mr. La Pierre stated that he was referring to the \$35,000 that they cut from the budget that went to the voters. Councilman Tafe asked if he had anything else in mind when he made that statement. Chairman La Pierre stated he did not.

Mayor Nagler asked about the addition from the 2006 budget of \$10,000 appropriated to the miscellaneous building lease. Chairman La Pierre stated that the Fire District had to put that money in their budget due to the township not passing the ordinance that they said they would. Chairman La Pierre commented that the Fire District agreed to pay the operational cost of the squad but would not pay the mortgage.

Councilman Renzulli asked if the squad received \$40,000 for the operation of that building.

Councilman Renzulli stated that if a private developer has offered that money why aren't they using it.

Chairman La Pierre stated that Sharbell is requesting the \$40,000 back because the easement is no longer going through the property. Councilman Hartman stated that it is first time they are hearing that.

Dennis Germano attorney for the commissioners stated that a short time after the agreement was reached and the payment paid to the squad Sharbell found a huge gas main that would not allow them to go through the squad property.

Councilman Maroccia asked for a breakdown of the line items.

Mr. La Pierre is researching the squad property for purposes of adding a building through referendum of the voters to the squad to include the fire department. That is for the architect fees for that project.

Councilman Tafe commented that the fire budget failed last year and failed again this year. Why would they need an architect and think about a referendum when two budgets have been voted down.

Chairman La Pierre stated that the fire district is paying the bills of the squad.

Mayor Nagler asked for the difference between fire prevention and advertising.

Mr. La Pierre stated that fire prevention is when they go to the school for the children.

Mr. La Pierre deferred the advertising aspect which is for legal advertising to Clerk Nancy Muccolini.

Mayor Nagler noticed that they are proposing an increase in the Clerk and Treasurer in a tough year. Mayor Nagler pointed out that an elected official is getting a raise. Chairman La Pierre stated that there is an appointed treasurer on the Board that is not an elected official. Mayor Nagler asked who acts as treasurer for the board of fire commissioners. Ms. Muccolini stated that she does.

Chairman La Pierre explained that the first 13 years of the fire commission Ms. Muccolini did this at zero dollars. If you figure out all of the duties that she does for \$15,000.00 it is well deserved.

Chairman La Pierre further explained that the day to day functions of secretary and treasurer is what the raise is for and that is Mrs. Muccolini. The elected secretary and treasurer only sign off. They do not receive compensation.

Mayor Nagler asked about the substantial increase for solicitor. Mr. La Pierre stated that they are in litigation with Ewaynsville for the return of equipment.

Councilman Tafe asked how much they expect to gain from that litigation should they prevail. Chairman La Pierre stated \$35,000.00

Councilman Tafe asked about the fee that the solicitor will charge as it relates to the amount that they expect to gain. Chairman La Pierre stated that Mr. Vodges is very generous with his time. Chairman La Pierre does not see it as a long process.

Councilman Maroccia asked about health and fitness. Chief Polios stated that physicals are required as are fit-tests on an annual basis. Chief Polios stated that they are not only required it also ensures that they are fit to perform their duties as fire fighters.

Councilman Tafe asked about the two lines - - \$2,500 for office supplies and \$1,500 office supplies. Chairman La Pierre stated that one is for administration agenda, paperwork,

stamps and envelopes. The second one is for submission of reports, etc. for the actual firefighters.

Mayor Nagler asked about the two lines - - insurance and other insurance.

Chairman La Pierre stated insurance is for fire trucks, buildings, etc. Other insurance is worker's compensation and the like.

Mayor Nagler asked that by closing a building they only reduced their budget by \$2,900. Chairman La Pierre stated that the figure was \$5,900. Mayor Nagler stated that they got rid of three fire apparatus and should have realized considerable savings. Chairman La Pierre stated that now they have responsibility for the emergency squad.

Chief Polios stated that the building on 206 was an old building and not worth a lot of money. The apparatus was older and not worth as much as well.

Councilman Maroccia asked if the NFPA tests are the same as the fit test. Chief Polios stated that it isn't it is testing of apparatus and such.

Councilman Hartman asked about meetings, dues and fees. Chairman La Pierre stated that it is professional fees for the fire department and the commission to belong to certain organizations and magazine subscriptions and professional publications.

Councilman Tafe asked about the future capital purchases line of \$10,000. Chairman La Pierre explained that they put so much away every year for replacement of a fire truck when the need arises. It could be used for a new chief's vehicle or any major purchase. They have to have a public hearing so that the public knows what they are spending it on.

Mayor Nagler asked what the contingency line is for. Chairman La Pierre explained it is for fire fighter of the year to give them a recognition dinner. Chief Polios stated it is also for an unforeseen expense that they cannot allocate to budgeted equipment costs or repairs.

Manager Carew pointed out that it looks like there is less grant money than last year. Chief Polios briefly explained the grants that the department receives. Chief Polios stated that they are competing against many less fortunate townships. Chief Polios stated that they keep their members. The members leave only to retire or move.

Chairman La Pierre pointed out that the administration of fire hydrants for \$7,614 pays for fire hydrants that they use and \$59,530 pays for the water lines that go underneath the streets that the town residents use and it comes out of the fire district budget. The company then sends 13% to the Township not the fire district.

It was pointed out that the fire district gets 100% of what their fire district tax is.

Mayor Nagler stated he would like to hear comments from the public since it was the public who voted against the budget.

Maureen Fahey , 4 Cedar Mill Lane wanted to publicly say that she voted in support of the

budget in support of the services that they provide.

Chris Vota, 2 Juniper Street, sat in on a couple of meetings of the fire commissioners. He came away believing that the residents are fully protected for the least amount possible. He believes that the fire commissioners intended to do the right thing whenever an expenditure came up. He asked that Council consider what would happen if the Township had an underfunded fire district. Mr. Vota asked that Council not throw the baby out with the bath water.

Philip Polios, 48 Windham Drive. Chief Polios stated that the budget is one of the lowest in the County. He further explained that it does not include \$1.00 for career fire fighters and emergency medical technicians. He stated that they need both buildings to store all of their apparatus. He spoke about the consolidation into one building. The building on Smithville Road is barely adequate at this time and the building was built by the members.

Philip Polios would be happy to entertain any questions either from Council or any member of the public regarding any line item at any time. One individual showed up to the public hearing on the fire budget. Chief Polios wants the public to ask questions.

Chief Polios was disappointed that the public voted down the budget by four votes. He doesn't consider it an overwhelming mandate. Chief Polios thanked council.

Councilman Hartman asked about the use of the Fire Department building and where the money goes. Chief Polios stated that money goes to the non-profit organization. The Fire Company owns that building and that money goes back to them.

Kevin Klaus, 19 Windham Drive. He recommends that Council leave the fire budget as it is.

Mayor Nagler closed from the public at 8:35 p.m.

Councilman Tafe would like to ensure that he believes that the commission and fire fighters are extremely commendable on what they do. Councilman Tafe wants to know what does he tell the residents that vote and voted it down if Council passes this budget. Councilman Tafe wishes the commissioners would step forward and help Council with this matter but they have decided not to. Councilman Tafe stated that personal feelings aside -- the voters have spoken.

Councilman Hartman stated that the commission has to come up with more information to state their case.

Councilman Maroccia stated it is irrelevant to say it was only a four vote loss. There has to be cuts. Councilman Maroccia cannot just ignore it and say that the taxpayers vote didn't count. Councilman Maroccia cannot ignore the voters.

Councilman Renzulli stated that we all learned in 9th grade that democracy rules. The people have spoken, it is unfortunate he is not sure that the people are sure what they are voting for. They want a tax cut. They may not understand that this township has some of

the most efficient fire department members, school board members and will throw in township council members insofar as the operating expenses.

The township gave the fire district their money last year. The people made it clear that it was the wrong decision. Councilman Renzulli stated that council has to find more cuts -- democracy has spoken.

Mayor Nagler thanked Chairman La Pierre and members of the fire department that came out to state their case. It allowed the fire district and commissioners to inform the public.

Mayor Nagler stated that it is difficult to think about lowering tax dollars that could possibly compromise public safety. Mayor Nagler stated that it is a very difficult position for all of council. Everything that has been said will be taken into consideration and he hopes the decision that is rendered is suitable for the commissioners, district and residents and nothing is done to upset the safety of the residents.

Mayor Nagler requested a recess.

The meeting was reconvened at 9:00 p.m.

Mayor Nagler asked Councilman Tafe his opinion as Council has five days to make a determination. Councilman Tafe suggested \$10,000 from the budget.

Mayor Nagler asked Councilman Maroccia he concurs.

Councilman Renzulli is not sure that cutting \$10,000 would not impact public safety. He suggested looking at the engineer and architect numbers.

Councilman Hartman would not go over \$10,000, he is suggesting somewhere between \$5,000 and \$10,000.00.

Councilman Tafe would consider cutting solicitor fees for the equipment that may never be retrieved and doesn't believe that cut would affect the safety of the public.

Mayor Nagler would like to see a reduction in architect and engineer.

Clerk Lovins needs to advertise by next Tuesday.

Councilman Renzulli stated that the fire department was extremely nice to Ewayansville to try to get the equipment back. Mayor Nagler suggested that the commissioners get compensated for the legal expenses related to that it shouldn't be at the taxpayers expense.

Councilman Hartman stated that the budgets have been having a tough time in the last couple of years. The people have spoken and that has put council in a predicament. Councilman Hartman respects what the commission and fire fighters do on a daily basis.

Mayor Nagler opened to the public one final time at 9:10 p.m.

Philip Polios, 48 Windham Drive. Chief Polios would like to comment on Mr. Tafe's

comment relative to chasing equipment that may not be there. Chief Polios knows that the radios are there because they are traceable and they are worth \$3,500 a piece. The equipment is out there, it is not a wild goose chase.

Councilman Tafe asked if it belonged to his department. Chief Polios stated it was purchased with grant money and money from the county.

Councilman Tafe asked if a police report was filed. Mr. La Pierre stated that this was information discussed in closed session and he could not comment at this time. Mr. La Pierre assured Council that they took it one step further and took the matter to the county level. Chief Polios hopes to recover it because they can use it.

Chairman La Pierre, understands cuts will be made to their budget. A cut in the \$10,000 range will make the fire district as well as the EMS service hurt. Chairman La Pierre asked council to please consider ramifications on fire fighters and emergency squad personnel.

Kevin Klaus, 19 Windham Drive doesn't believe it is necessary to cut the \$10,000.00. He suggested that Council review it carefully and not just throw out a round number to feel good.

Councilman Tafe stated that no number that they throw out will be a feel good number.

Chairman La Pierre suggested \$2,000 from architect and \$2,000 from engineer could be cut without effecting the effectiveness of the firefighters and without putting an undo restraint on the board.

Chairman La Pierre stated that the commission has a vision for the future. He also realizes that council is sitting in a tough seat.

Chris Vota, 2 Juniper Street. Mr. Vota stated that there is no money for first responders from the federal government. Mr. Vota commented on terrorism in small towns.

Mayor Nagler closed to the public at 9:20 p.m.

Committee Reports

Land Use Planning Board -Councilman Hartman reported that the next meeting is the 21st of March. He also advised that Fred Knighten, after 20 years of service, offered his resignation. Councilman Hartman wishes him the best.

Environmental Commission -Councilman Renzulli reported that they have a lot of big plans. The big project for the year is to potentially put pavers in front of the memorial. They are a really energized group.

Route 206 Study - Councilman Hartman will attend Chamber of Commerce meeting tomorrow and that will be discussed.

Economic Development Advisory Committee - Councilman Hartman stated that the meeting for February was cancelled and the March 6 meeting is scheduled next.

Parks and Recreation Committee - Councilman Renzulli advised that the skating party is Thursday night at the Holiday Skate at 6:30 p.m.

Comments

Manager Carew thanked the school and fire commissioners and Chief Polios for coming out. They are all very passionate and dedicated to what they do.

Councilman Tafe appreciates them as well and thanked the Chief and Commissioners.

Councilman Hartman reiterated the above thoughts.

Councilman Maroccia thanked the Chief.

Councilman Renzulli stated that they do a great job wish the residents would understand that.

Mayor Nagler stated that he is very passionate about the issues at hand.

Councilman Maroccia hopes that the Chief doesn't think that any decision that is made is them against us. Councilman Maroccia told his wife to vote yes.

Motion by Councilman Hartman, seconded by Councilman Renzulli to adopt Closed Session Resolution 2007- 35 to discuss public safety and public funds at 9:31 p.m. All voted in the affirmative.

Motion by Councilman Hartman, seconded by Councilman Maroccia to reconvene to regular session at 9:49 p.m. All voted in the affirmative.

Motion Councilman Tafe, seconded by Councilman Hartman to decrease the fire budget by the following amounts and from the following line items:

\$2,000 from architect;
\$2,000 from engineer;
\$3,500 from solicitor
\$500 from Treasurer
\$80 from Clerk
\$1,000 for Capital budget
\$420.00 for building maintenance

for a total reduction of the budget of \$9,500. Upon roll call vote, all voted in the affirmative with Mr. Nagler abstaining.

Adjournment

Motion by Councilman Hartman, seconded by Councilman Maroccia to adjourn at 9:52 p.m. All voted in the affirmative.

Respectfully submitted,

Linda M. Lovins, RMC
Township Clerk

CLOSED SESSION MINUTES
FEBRUARY 26, 2007

Council entered into Closed Session to discuss reducing the Fire District Appropriations without compromising the health, safety or welfare of any of the members of the district as well as members of the community.

It was determined that there were seven different appropriations that could be reduced without compromising anyone's safety.

Respectfully submitted,

Linda M. Lovins, RMC
Township Clerk

