

**EASTAMPTON TOWNSHIP COUNCIL
REGULAR SESSION MINUTES
June 11, 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. Hartman, Mr. Tafe and Mr. Nagler

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

ABSENT: Mr. Renzulli

Public Comments

Mayor Nagler opened to the public.

Barbara Moore, 7 Dunham Lane. Mrs. Moore stated that she has lived here for 21 years and never had water in basement there have never been any issues but there was water in her basement and there is still water in her basement. Lumberton Township tells her it cannot be the water basin in the back.

There was supposed to be an impact study done by Lumberton on that area, however, Lumberton Township waived the impact study.

Mrs. Moore had to spend \$1,600 to buy pumps. As a result of the flooding she now has a crack between slab and rest of the house.

Councilman Hartman asked if happened with the construction at Stevens Furniture Warehouse. She stated that it did.

Mrs. Moore is asking for an Impact Statement. She is concerned about the mold. Councilman Hartman asked for a list of names that it affected.

Mrs. Moore attended Planning Board meetings for the Township of Lumberton when the construction was going on.

Manager Carew stated that Dave Latini has been monitoring the situation for two months now. Dave was the engineer for Lumberton Township at the time the construction was going on.

Mayor Nagler asked how long water is supposed to be in the basin. Manager Carew stated that it was supposed to be a dry basin. Mr. Latini cannot prove that it is the basin causing the water.

Mrs. Moore contacted Manager Carew on May 22 and Scott gave her Mr. Latini's number.

Mrs. Moore stated that she has not been in contact with the Township of Lumberton. Ms. Fahey stated that she was at a meeting for the Planning Board not township council. Ms. Fahey advised Mrs. Moore that she needed to make the township council of Lumberton aware of the situation and clarified that this basin is in Lumberton Township not Eastampton. Ms. Fahey also advised Mrs. Moore that the reason she has to make them aware of the situation is because the operation of the basin is governed by the Township Council of Lumberton.

Mrs. Moore feels she needs to start here because she is a taxpayer in Eastampton. Ms. Fahey stated that it is critical that she let the Lumberton Township Council know.

Ms. Fahey and Mayor Nagler suggested that Scott write a letter to the Township of Lumberton asking if they want the residents to come in and meet with Council or their engineer.

Tony Giobbie, 10 Dunham Lane has been there 25 years and has never even owned a subpump until recently.

Joe Cicontei, 8 Dunham Lane stated that he had 8 inches of water and has been there 22 years and has never had water in his basement.

Ms. Fahey asked if Mrs. Moore has been in contact with the owners of Stevens. Mrs. Moore stated that she has not.

Councilman Hartman asked for a time-frame to be included in the letter that Manager Carew writes to Lumberton.

Township Manager's Report

Manager Carew has had two meetings with Waste Management. It was determined that Wednesday was best for the Township pickup as well as Waste Management. There are less holidays on Wednesday-- there is only one in the next year which happens to fall in the first week of the contract – July 4.

Manager Carew spoke to the County regarding purchasing the tax liens that the township has. There is approximately 1.3 million of assessed valuation. The County may be interested in doing so.

Councilman Hartman asked if the County will pick and choose which liens they want to purchase. Ms. Fahey stated that the county is mainly interested in purchasing property by the creek. That constitutes about 80% of the tax liens.

Chief Mingin stated that this has to happen by October 1 for it to take effect next year.

Manager Carew advised that Acquatic Gardens is complete but there has been no CO issued yet due to their taxes not being paid. Chief Mingin stated that businesses commonly do this. Chief Mingin spoke about accelerated tax sales.

Manager Carew received the Agreement for Green Acres today. The Township is still 1.4 million short as to what they initially agreed that the township was eligible for.

Manager Carew will be meeting with residents tomorrow evening to discuss the recreation building. Scott will be discussing the fencing being replaced. Manager Carew is also looking to do landscaping for aesthetics.

Ms. Jamanow has been talking to Jim Large. Councilman Tafe asked that Scott follow-up with the residents.

Manager Carew advised council that someone who lives on the south side of the creek is feeding the cats. This is the second time the township has dealt with people feeding or keeping stray animals. Manager Carew asked for council to start thinking about an ordinance. Mayor Nagler asked Eileen to prepare the ordinance for the next meeting, Ms. Fahey stated that it will still be a County Health Issue that is enforceable by the County. Mayor Nagler asked if it would help with enforcement if the Township adopted an ordinance. Manager Carew believes that a visit from the police department may be more effective.

Terry Montgomery stated that it has been going on for four years.

Public Hearing on Budget Amendment

Ms. Fahey recapped the budget Amendment. She reminded council that if the amendment does not pass, the budget will be put off and it will cost the township \$500 a day. Chief Mingin stated that if the amendment does not pass tonight it will cost the township \$100.00 for publication as well.

Chief Mingin stated that if a budget was put together tonight the tax bills will go out within a week of normal time.

Clerk Lovins read the amendment in full.

Councilman Tafe asked about the total salary and wage increase. Chief Mingin stated that it was \$5,000 difference.

Motion by Councilman Tafe, seconded by Councilman Hartman to accept and introduce this amendment to the budget. Upon roll call vote, all voting in the affirmative, with Councilman Maroccia voting no.

Mayor Nagler opened to the public on the Budget Amendment.

Clara Paneque, objected to the garbage pickup being only once a week. Mayor Nagler explained the savings. Mayor Nagler explained it helps stabilize the tax rate.

Merrita Vera, 6 Cypress asked if she will see the tax rate decrease. Mayor Nagler stated it will stabilize the tax rate.

Mayor Nagler closed to the public.

Councilman Tafe stated it would behoove council to have all of council available for the final vote.

Motion by Councilman Hartman, seconded by Councilman Tafe to continue the public hearing on the amendment. Upon roll call vote, all voted in the affirmative.

Motion by Councilman Hartman, seconded by Councilman Maroccia to set a special meeting on Monday June 18, 2007 to continue the hearing on the amendment. Upon roll vote, all voted in the affirmative.

Continuation Public Hearing on 2007 Municipal Budget

Motion by Councilman Tafe, seconded by Councilman Maroccia to continue public hearing on the 2007 Municipal Budget on June 18, 2007 at 7:30. Upon roll all vote, all voted in the affirmative.

Public Hearing and Final Adoption of Ordinances - Roll Call

Mayor Nagler opened to the public on Ordinance 2007-04. No one wishing to speak, Mayor Nagler closed to the public.

Motion by Councilman Hartman, seconded by Councilman Maroccia to adopt the following Ordinance:

2007-04 AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON
 AMENDING CHAPTER 85 OF THE CODE OF THE TOWNSHIP
 OF EASTAMPTON WITH RESPECT TO STORMWATER
 MANAGEMENT

Upon roll call vote, all voted in the affirmative.

Mayor Nagler opened to the public on Ordinance 2007-06. No one wishing to comment, Mayor Nagler closed to the public.

Ms. Fahey clarified which ordinance they are looking at.

Motion by Councilman Maroccia, seconded by Councilman Tafe to adopt the following Ordinance:

2007-06 AN ORDINANCE OF THE TOWNSHIP OF
 EASTAMPTON TO AMEND THE

TOWNSHIP CODE AT SECTION 103 -
“ZONING” IN PARTICULAR, THE
PROVISIONS OF SECTION 103-21
ADDRESSING THE BP-BUSINESS PARK
DISTRICT

Upon roll call vote, all voted in the affirmative.

Mayor Nagler opened to the public on Ordinance 2007-07. No one wishing to speak, Mayor Nagler closed to the public.

Lorretta Kaplan, 16 Manchester asked what the ordinance was they were talking about. Manager Carew explained.

Motion by Councilman Maroccia, seconded by Councilman Hartman to adopt the following ordinance:

2007-07 AN ORDINANCE TO AMEND THE
TOWNSHIP CODE OF THE TOWNSHIP OF
EASTAMPTON AT SECTION 103 -
“ZONING” TO CREATE SECTION 103-22
“PO-PLANNED OFFICE DISTRICT”
SETTING FORTH THE DEVELOPMENT
CRITERIA FOR THE PLANNED OFFICE
DISTRICT

Upon roll call vote, all voted in the affirmative.

Acceptance of Minutes

Motion by Councilman Hartman, seconded by Councilman Maroccia to accept the Recreation Advisory Committee Minutes of May 3, 2007. All voted in the affirmative.

Approval of Current Year Minutes

Motion by Councilman Maroccia, seconded by Councilman Tafe to approve the May 14, 2007 Closed Session Minutes and May 29, 2007 Regular Session Minutes.

Councilman Hartman corrected the spelling of austere on page 3 of the minutes. All voted in the affirmative.

Resolutions

Motion by Councilman Hartman, seconded by Councilman Maroccia to adopt the following resolutions:

2007-59 RENEW LIQUOR LICENSES

2007-60 REJECTION OF BIDS FOR KNIGHTSBRIDGE ROAD RESURFACING PROJECT

2007-61 AWARD OF CONTRACT FOR MUNICIPAL SOLID WASTE DISPOSAL TO WASTE MANAGEMENT

Upon roll call vote, all voted in the affirmative.

Motion by Councilman Hartman, seconded by Councilman Maroccia to adopt the following resolutions:

2007-62 GARDEN STATE MUNICIPAL JOINT INSURANCE FUND JOINT INSURANCE TRUST AGREEMENT AND RESOLUTION TO JOIN

2007-63 BIKE PATH

Upon roll call vote, all voted in the affirmative.

Approval of Bill List

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

Old Business

Sale of elementary school - Mayor Nagler read a statement see attached. Mayor Nagler asked council for their comments and would like a resolution in opposition of the Eastampton Board of Education leasing and selling to RV drafted.

Councilman Maroccia asked if it really mattered how many darts the township throws at them. Ms. Fahey stated that the board of education can do what they want to with the property because they are the property owner.

Councilman Hartman asked what happened with the request for public records. Manager Carew responded. Jeff Lucas's letter of intent for 1.8 million dollars and a legal advertisement were given to the township in response to the OPRA request.

Mayor Nagler expressed concern that the residents that came to the public hearing when the zone was changed were okay with it being used as commercial property.

Councilman Tafe did not believe that the residents were in agreement that the property could be used for commercial property.

Manager Carew stated that RV's intended use was administrative office and some classrooms.

Councilman Tafe is bothered because the township was supposed to sit down with the school district and he had questions.

Councilman Maroccia stated that the board of education is doing what is correct or best for them just like this council does even though he doesn't agree.

Mayor Nagler supports the education process but does not agree with RV for taking any more land off the tax rolls in Eastampton. Mayor Nagler is very concerned with the fiscal health of Eastampton if this happens.

Councilman Tafe believes that it is important that the school board tell the community what is going to happen to them over the ten years that they are leasing to RV. The board of education advised during the budget proceedings this year that the tax rate was almost flat if this happens taxes should go down.

Public Comments

Mayor Nagler opened to the public.

John Geary, 6 Knotty Oak Drive. Mr. Geary asked if there was money still owed on the school. RV made the Township pass a resolution so that no other schools could be put in there and now they are going back on their word.

John asked if Manager Carew had anyone look at the streets yet. Manager Carew stated he did last week but he has not gotten a report.

Terry Montgomery, 28 West Railroad. She is very upset with what the board of education is doing and asked what can she do as a citizen to stop this purchase. Councilman Tafe thinks it is important that the township inundate the school with concern.

Mayor Nagler stated that the county rate is going up \$66 dollars. Terry Montgomery asked again what she can do.

Councilman Tafe stated that a citizens group is always a good way to voice their opinion.

Loretta Kaplan, 16 Manchester suggested leaving the feral cats to eat the rats that will result from a once-a-week pickup.

Ms. Kaplan asked if anyone could purchase that building. Manager Carew explained that the price of the property is too high for a commercial developer. Manager Carew explained the benefits of a commercial developer purchasing the property.

Lorretta Kaplan stated she contacted COAH and they stated that Eastampton had no low cost living housing. Ms. Kaplan was looking for assisted living. Manager Carew stated that Eastampton had more units for affordable housing than required but no assisted living units.

Mr. Roziara stated that he was here May 4 and council promised that he would get a call. Manager Carew stated he was under the impression that Mr. Large was heading the homeowners and passing along the information. Mr. Roziara was not advised of any meeting.

Councilman Tafe stated that all of the residents need to know if there is going to be a meeting they need to be contacted personally.

Mayor Nagler asked that Manager Carew call Nancy first thing in the morning. Mr. Roziara can be available for a meeting tomorrow at 8:00 p.m.

Mr. Roziaria asked why the building cannot be put on the other side. Mayor Nagler stated it is because of DEP rules on the wetlands and how far a building can be from those wetlands.

Mayor Nagler stated that the building will be put to good use. Mayor Nagler stated that there are a lot of senior citizens that need something to do. Mayor Nagler stated that they need cover for the children during the summer park program.

Councilman Tafe thinks that the first step is a meeting.

Clara Paneque voiced her concern on the lease of the school property to RV as well. Mayor Nagler stated that she has to voice her concern directly to the BOE.

Merrita Vera, 6 Cypress asked how they can use it for a school if the township just passed an Ordinance changing the zone. Mayor Nagler explained that a continuance certificate and special rules would apply.

Pat Lightsey, 9 Kingsley Road. She lives across from the proposed recreation building and asked that all residents be notified of the intended meeting.

Manager Carew feels that someone from the recreation committee should be in attendance at that meeting as well.

Mayor Nagler closed to the public at 9:55 p.m.

Mr. Roziara is concerned with the privacy and security of the people living around the new building.

New Business

Motion by Councilman Hartman, seconded by Councilman Tafe to amend Ordinance 2007-07 to add continued care retirement community as an allowed use and referred it to planning board for recommendation. All voted in the affirmative.

Comments

Councilman Tafe wanted to state publicly of how Clerk Lovins handled herself professionally at the last meeting considering the circumstances and wanted his statement on the record

Councilman Hartman would like a letter to go to the County Superintendent of Schools regarding the elementary school.

Eileen stated that council can do a resolution to formally state their feeling.

Motion by Councilman Maroccia, seconded by Councilman Hartman to send Eastampton Board of Education, RV sending districts and their town councils a Resolution. All voted in the affirmative.

Mayor Nagler participated in the 5k and it was the best one yet. There was a good turnout. Mayor Nagler thanked the recreation committee.

Mayor Nagler will not be at the August 12 meeting.

Adjournment

Motion by Councilman Maroccia, seconded by Councilman Tafe to adjourn at 10:30 p.m. All voted in the affirmative.

Respectfully submitted,

Linda M. Lovins, RMC
Township Clerk