

**EASTAMPTON TOWNSHIP COUNCIL  
REGULAR SESSION MINUTES  
September 24, 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, MR. NAGLER AND MR. RENZULLI

ALSO PRESENT: TOWNSHIP MANAGER SCOTT CAREW, TOWNSHIP CLERK LINDA LOVINS, TOWNSHIP CFO GERALD MINGIN AND TOWNSHIP SOLICITOR EILEEN FAHEY

**Township Manager's Report**

Manager Carew has been speaking with the Mayor relative to office efficiencies. Manager Carew will be preparing a weekly manager's report. Any action that Council wishes to take based upon his written report or verbal report should be done as new and/or old business.

Manager Carew met with Mr. Izarry and Mrs. Large at Buttonwood Park to discuss the fence and building. Environmental Resolutions has marked out the existing property line and position for the fence. The new fence will go along the existing property line and not where the existing fence is. The fence will be installed later this week and the building erected on October 2.

Manager Carew and Jerry have both contacted the Board of Public Utilities to find out who we need to contact to officially place inquiries from the last meeting regarding franchise fees with Comcast and neither of them have heard back. Comcast did call Jerry back but there is nothing new to report. The letter is prepared and ready to go but Scott is waiting for a contact person and address. He will continue to follow-up on that.

The information that Jerry received is inconsistent at this point. Mayor Nagler asked what Eileen thought would be an adequate amount of time for Scott to hear from the BPU. She said that the State is not known for their rapid response.

Chris Muraglia, Sergeant Coppola, Jerry and Scott were to meet with the County Engineer to do a potential traffic study for the walking paths to school. The expert fell ill and had to be taken to the hospital by Mr. Livingston. However, Sargent Coppola had an elaborate

discussion with Mr. Livingston. Mr. Livingston made it known to Sergeant Coppola that he did not think it was accurate that the walking route from Deerwood was unsafe. The difference is the Deerwood students would have to cross without a traffic light or crosswalk. Mr. Livingston stated that he was willing to take care of the crosswalk and traffic light because it was cheaper than fixing our situation.

It would cost approximately \$500,000 in crosswalks, sidewalks and traffic signals. Where there would be one signal light and a crosswalk for Deerwood at a cost of about \$50,000. They will reschedule the meeting in the near future.

Councilman Tafe asked if we are studying the walking routes from Carriage Park to the schools and we studying other areas as well? Scott stated that all areas that are not being bused within two miles are being looked at.

Mr. Renzulli asked if Mr. Carew looked into extending the sidewalks into Mount Holly on Woodlane?

Manager Carew's initial goal is to determine which route is safe, and in fairness which routes are not safe. Manager Carew believes that if the due diligence is done that if nothing else they will be embarrassed.

Mr. Renzulli suggested inviting all of the townships from all of the sending districts to discuss all of the safe routes to school for every district.

Councilman Hartman reiterated that every child in Lenape qualifies to be bused. Councilman Renzulli stated that Lenape high school declared the two roads in front of the school unsafe, therefore everyone qualifies for busing.

Manager Carew was contacted by Westwood to see if there were any other discussions for the township to take over the club. Mr. Renzulli pointed out that we had asked them for an independent audit which they have not yet provided. Manager Carew spoke about it being a potential ratable in the future.

Manager Carew advised that Linda is spearheading the code revisions for mistakes. She will be scheduling a meeting with staff this Friday.

Manager Carew congratulated Councilman Renzulli for the success of fun day.

Councilman Renzulli gave kudos to the whole committee and volunteers.

Manager Carew will be on vacation from this Friday to next Friday. It will be his first trip to Orlando with the kids.

The JIF launched a website that municipalities like ours that do not have a labor attorney on call. There is a list of FAQ and if we have something that is new we can post it. They have attorneys working on this website. Each municipality only gets two passwords to get in.

Scott is working on the budget process for next year to correct the mistake he made last

year. He will get memos out to department heads in mid October to get proposals by mid November. He thinks it would be advantageous to hold a workshop at the beginning of the process to discuss what went right and what went wrong last year and to see what council would like to see different with the budget and the process.

It was agreed to be beneficial to have a workshop.

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

Motion by Councilman Maroccia, seconded by Mr. Hartman to approve the September 10, 2007 Regular Session Minutes as amended All voted in the affirmative.

### **Acceptance of Reports**

Motion by Councilman Hartman, seconded by Councilman Maroccia, to accept the following reports for July and August 2007:

Township Clerk  
Public Works  
Police  
CCO

Tax Collector/Treasurer  
Assessor  
Court

All voted in the affirmative.

### **Resolutions**

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

2007-86            REFUND TAXES ON VARIOUS PROPERTIES

All voted in the affirmative.

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

2007-87            RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE  
AND APPROPRIATION NJSA 40A:4-87

Chief Mingin explained that this resolution is to bring grant money for Knightsbridge into the budget.

All voted in the affirmative.

### **Introduction and set Public Hearing on Ordinance**

2007--11            AN ORDINANCE OF THE TOWNSHIP OF EASTAMPTON

AMENDING CHAPTER 96- "VEHICLES AND TRAFFIC" OF THE  
CODE OF THE TOWNSHIP OF EASTAMPTON TO EXCLUDE  
TRUCK TRAFFIC FROM MONMOUTH ROAD (CR537)

Manager Carew explained that there are quite a few townships adopting similar ordinances. Traffic will be rerouted out 38 west. County Engineer has recommended adopting such an ordinance.

Chief Mingin has a concern regarding trucks using Woodlane Road as an alternate route. Manager Carew believes it is set up like that because traffic is flowing southwest. Manager Carew will double check that they are not intending to use Woodlane Road.

Councilman Tafe asked if the sod farm is zoned commercial, then how can the township limit truck traffic? Manager Carew stated that theoretically warehousing will be done in the BP zone.

Councilman Renzulli believes that would be considered a delivery. Councilman Tafe would like that looked into further. Chief Mingin would like to make sure the ordinance does not impact Woodlane Road. Manager Carew asked how you would enforce that.

Ms. Fahey stated that this is just the initial process to endorse the policy. She suggested introducing get answers to questions and then withdraw or table.

Councilman Renzulli is concerned about what happens if Eastampton is the only township that enacts this ordinance.

Mr. Renzulli would like to see additional information added to the ordinance outlining that it will take effect so many days after the last town involved adopts their ordinance.

Mayor Nagler suggests getting comments from neighboring communities.

Motion by Councilman Renzulli, seconded by Councilman Hartman to table introduction until the next meeting on October 9, 2007. All voted in the affirmative.

Manager Carew suggested checking with the other chiefs in the area regarding this ordinance, Chief Mingin will do that.

### **Approval of Bill List**

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

### **Old Business**

Recommendation from Planning Board to add Continued Care Retirement Community as a permitted use to the BP and PO zoning districts. The Land Use Planning Board made a motion to refer the use of CCRC to BP and PO zone subject to the Land Use Planning Board's review of the ordinance and standards. Ms. Fahey stated that it would be appropriate to send the ordinance back to them for criteria standards.

Motion by Councilman Maroccia, seconded by Councilman Tafe to refer back to Planning Board for criteria for bulk standards and detail. All voted in the affirmative.

Police Chief Criteria - Scott met with Mr. Sklar who is president of the New Jersey Association of Chiefs of Police. He asked Scott what his goal was in talking to him. Manager Carew explained to him that he would like to develop a process where there is very little legitimate chance of a challenge to that process for selecting a Chief of Police.

The Chiefs' Association would be willing to administer one portion of the test which would be an examination related to knowledge of police work. They believe in oral examination. They get together three or four chiefs around the state and make sure there are no connections personally or professionally with the candidates.

The second part would be oral regarding philosophy conducted by Jerry and Scott. Scott would like the candidate to get a 70% or more to move on to the next part of the examination.

The third part would be an essay portion to give the Township an in-depth look at the candidates philosophies as well as their communication skills.

The final portion would be to take into account job history, education and training. The candidate with the highest score would be who is appointed as the next chief.

Chief Mingin explained that there are four sergeants, two of which are not interested, two detectives and patrolmen interested.

Patrolmen with 8 years of experience are eligible. Jerry advised that someone with eight years has filled in a supervisory capacity at one time or another.

Manager Carew asked if there might be a problem with morale if a patrolman leapfrogs to Chief? The Association advised in smaller towns like ours it is not uncommon to open it up to patrolmen.

Manager Carew would like to adopt resolution the first meeting in October. Jerry does not have his papers in yet for retirement.

Councilman Renzulli wanted to know how they came up with eight years. Manager Carew stated it was Jerry's recommendation. There are about three officers and there isn't anyone in a close range of the eight years. He had to pick a number for the criteria. Councilman Tafe asked how much time the detectives have in. Jerry advised that one has nine years and one has ten.

Manager Carew stated that Mr. Sklar is also an attorney. The residency requirement was discussed. One of the candidates that would be a candidate under our criteria lives in Point Pleasant. Mr. Sklar thinks that would be challengeable. Mr. Sklar suggested having a parameter within 20 miles, etc.

Chief Mingin explained that police chiefs are reactionary and do not have to be on the scene immediately and have cell phones.

Councilman Renzulli asked how many times the Chief has been called in. The Chief stated one. The Chief is not happy that the officer was pointed out this evening.

Mr. Sklar also had an issue with probationary period. Chief Mingin stated that he believes that comment is looking to protect chiefs rather than subject them. Chief Mingin believes the association may be imposing preference instead of case law. Manager Carew is going to look into to see if it is case law or preference.

Councilman Hartman asked about psychological testing or being interviewed by a psychiatrist. Chief Mingin stated that once the person is selected the appointment is contingent upon passing the psychological test and interview. Manager Carew stated that the interview and test is one in the same.

Councilmen Renzulli, Hartman and Nagler would like to have the psychological test be given prior to appointment. The question was posed that if a Sargent took the psych test and failed how does that affect his position as Sargent.

Councilman Tafe asked what the difference was for a chief psychological test and regular policeman. If they have to pass a psychological test to begin with are we duplicating efforts.

Chief Mingin stated no. There has ben legislation introduced to have policemen evaluated often .

Manager Carew asked if there was anything else Council would like to see changed. He will then reach out to Mr. Sklar and then Eileen can prepare a resolution for next meeting. Councilman Maroccia liked the probationary idea.

Motion by Councilman Hartman, seconded by Councilman Tafe to approve the job qualifications/criteria for chief of police. All voted in the affirmative.

Capital Budget - Chief Mingin explained that some of the funding for office equipment and supplies needs to be funded a little bit each year. He further explained that if it is not in capital budget and needs replacement, it needs to come from operating budget.

Sidewalk for Student Drive is an issue. The Township is looking at between \$50,000 - \$85,000. The good news is that the Mayor is working on potentially getting us funding. If he is unsuccessful he would like to see money in the capital budget for sidewalks on Student Drive.

Councilman Renzulli asked which roads off the list the Township plans on doing next year. Councilman Renzulli stated that if the Township can catch deteriorating early, it may prolong the life of the road. Manager Carew will get the list from Nancy.

Manager Carew stated that the Township will be eligible for the CDBG grant in 2009. Councilman Renzulli reminded everyone that there is specific criteria involved with those grants.

Scott will get the updated entire list from Nancy and will forward it to Council.

Councilman Renzulli wants to make sure that Rich Parks gets the equipment that he needs to get the job done.

Councilman Renzulli would like to keep Council out of the decision. It should be an engineer's decision not a council political decision.

Councilman Renzulli asked what the \$20,000 in the park improvement line is? Manager Carew stated it is there in case there are some unforeseen issues with the recreation building.

Councilman Renzulli advised that Recreation is going to ask for \$120,000 for new tennis court in Cliver Park.

Councilman Renzulli asked what, out of Rich's list, Scott recommending that the Township does not purchase? Scott indicated that the number is now \$75,000. The prior list was a just a wish list. The \$75,000 would get him a dump truck and two mowers.

Councilman Tafe asked what the condition is of the 10 year old truck. Manager Carew advised that there is no functionality. It is not diesel, two wheel drive and a money pit. Councilman Tafe asked what the mileage was.

Mayor Nagler asked Chief Mingin for a summary on the maintenance and repair.

Councilman Renzulli suggested that the Township start the process for a new police building. Suggested spending \$300,000 for architectural to be done. Councilman Renzulli explained that the police building is held together with turnbuckles it is 100 + years old.

Manager Carew suggested moving the building closer to the center of town. Councilman Renzulli stated that five acres were purchased on Monmouth Road for that purpose.

Councilman Renzulli stated the FOP used a lot of their own time and money in up keeping that building.

Mayor Nagler would like a walking path from Aerial to the existing walking paths in Veterans Park; it is a missing link for a walk to the school.

Councilman Renzulli stated that there are three squares of cement between this building and Manor House Court he would like to see that finished.

There was confusion as to whether these were capital items for 2008 or current capital improvements. Jerry would like to see them done this year.

Police Equipment - The Mayor understands that it has not been officially mandated. Jerry stated that isn't true. The policy has been adopted. Mayor stated it is another unfunded mandate. Ms. Fahey clarified that it is an Attorney General Policy Directive that each department within the state must provide for a rapid response team.

Councilman Tafe hopes that the men are semi-trained in what to do if a shooter starts to shoot. The Chief explained that training has to be done in-house and have to raise about

\$70,000 to cover the costs.

Mayor Nagler asked if there were any grants. Chief Mingin replied that there is not.

Chief Mingin talked about reallocation of funds through existing ordinances.

Bulk purchases with other communities was brought up by Councilman Tafe and Chief Mingin concurred. Chief Mingin is concerned about overtime next year for training.

Public Works is out of money and would like \$5,000 for signage.

The sidewalk on Student Drive needs to be done.

Mayor Nagler asked how to proceed. Eileen stated that there are existing ordinances that can be re-allocated and those ordinances have to be done soon.

Mayor Nagler suggested reallocation and introduction of ordinances on October 9. The Township would only need a resolution for \$90,000 for payment of debt service and the remaining \$161,000 to surplus. Mayor Nagler asked if it all goes to surplus what position would that put us in next year.

The number they came up with was \$893,000 in surplus.

Councilman Renzulli stated that this is the second year in a row that public works has been under appropriated.

Councilman Renzulli stated he was torn on where to spend the money -sidewalks so kids don't get hit or rapid response team so kids don't get shot. Councilman Renzulli stated that the odds are to put the sidewalks in so that the kids don't get hit. Mayor Nagler agreed.

Mayor Nagler has a grant application for discretionary spending for the Student Drive sidewalk. If the Township gets the grant money, then the funds will be reallocated to rapid response

The decision was made to use \$75,000 for sidewalk or rapid response and the rest to go into surplus. Chief Mingin explained that the rest can wait until 2008 budget.

At the next meeting it will be determined what the Township needs are.

Jerry and Eileen will sit down and get the exact numbers for the ordinances.

### **New Business**

Westwood will begin to make tax payments over a period of time. Ms Fahey believes someone is foreclosing on the tax lien.

Mayor Nagler suggested hiring a labor attorney for upcoming labor negotiations and asked for a motion to retain a labor attorney for the upcoming negotiations so that there is someone on retainer to answer any questions Scott may have during negotiations.

Councilman Renzulli asked why do that if it is free through the JIF.

Eileen explained that the Manager is the contract negotiator but the Township can hire an attorney to help him. If you retain someone you can do it by RFP which would mean a delay, or retain special counsel and they are subject to non-fair and non-open contract.

Chief Mingin asked where they are getting the money to hire this labor attorney. Chief Mingin gave background and stated that he doesn't know where the money is coming from. Public Works is out of money, engineer is out of money.

Manager Carew believes going in right off the bat with a labor attorney will alienate them. Attorneys go for \$150.00 an hour. It was figured that it would be about 15 hour per contract.

Manager Carew will start negotiations when he returns.

Weekly Manager Report -efficiency to keep Council abreast of things that are going on. He would like feedback from the rest of Council. He is thinking something through email such as a list on the Tuesday following a meeting regarding any issues needing follow up. Councilman Tafe would also like it to be a vehicle for any resident complaints.

Mayor Nagler explained specifically the tax collector was left a message and other messages and never returned calls. One resident made a call a few weeks ago and as of fun day, that resident still had not received a return call.

### **Public Comments**

Mary Lynn Piccone was told that Windham Drive can't have speed bumps, but Ashurst Lane in Mount Holly has them. She would like speed humps incorporated into the repaving program.

The Chief will do a speed monitor in that area. She noted that the speed monitors are put too close to the stop sign. Councilman Renzulli cautioned that signs and hump in front of her house may cause problems with the neighbors.

John Geary, 6 Knotty Oak Drive thanked the Township for the speed limit signs on Student Drive. John stated that he believes two more are needed because when you come around the corner people don't see it. The Chief will look into that matter.

John Paxia of Windham Drive operates a business off 206. His son races motocross and is 6 years old and he is first in the nation in the 6-11 age group. Any motocross magazine mentions Eastampton. Last year they raised \$30,000+ for kids with cancer in one day. They have also raised \$113,000 for the Trenton Police to buy bullet-proof vests in two weekends.

The organization needs 35 acres to lease. It will create money and clout for this town. Mr. Paxia advised that football, mountain biking, basketball, soccer, skateboarding, baseball and softball are the seven most dangerous sports for youths.

Mr. Paxia advised that golf is before motocross nation wide according to Forbes.

He is looking for the Township to find property for them. This is a national event and they will raise \$50,000 in a weekend There is an unfortunate family in Carriage Park that lost their jobs and they raised \$32,000 for them. His son has appeared in frosted flakes commercials filmed here in Eastampton. Mr. Paxia stated that our police force is looking for money. All they have to do is patrol the area.

They are not asking for land for free by any means. They have decibel on the tracks and 206 is louder. They are ready to move forward in Trenton in 2008 and before they move forward with Trenton they would like to give Eastampton a chance. A child must maintain an A on every report card before they can participate.

He is asking for an opportunity to do something good for Eastampton. He is looking for 35 acres in town to build a track. He would like to lease the property from the Township.

Green Acres would have a problem with sponsorship signs and leasing out to private business

Mayor Nagler stated that the Township needs to figure out if this is on the list of prohibited uses for green acres. The next meeting is October 9. Mayor Nagler asks Mr. Paxia to please give the Township two weeks to research the situation and get back to him. We can suppose a lot of things here.

Council wants him to go into the direction of how can we instead of why can't we.

Mayor Nagler closed to the public at 10:08 p.m.

### **Comments**

Scott stated that the County is interested in all but one property for buying tax liens.

### **Closed Session**

Motion by Councilman Hartman, seconded by Councilman Tafe to enter into close session to discuss collective bargain and employment issue regarding tenure at 10:10 p.m. All voted in the affirmative.

Council asked Eileen to prepare a resolution awarding tenure to Rich Parks for the next meeting.

**Adjournment**

Motion by Councilman Hartman, seconded by Councilman Renzulli to adjourn at 10:45 p.m. All voted in the affirmative.

Respectfully submitted,

Linda M. Lovins, RMC  
Township Clerk

CLOSED SESSION MINUTES  
SEPTEMBER 24, 2007

Council discussed setting parameters for contract negotiations and granting Rich Parks tenure as public works director.

Keith asked how long has Rich been here. Councilman Renzulli stated he has been certified at least five years.

Council asked Eileen to put together a resolution granting Rich Parks tenure to be adopted at the next meeting.

Council would like a proposal by second week in October for contract negotiations and see what they come up with.

Respectfully submitted,

Linda M. Lovins, RMC  
Township Clerk