

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING
JUNE 14, 2010

The Regular Meeting of the Moorestown Township Council was called to order by Mayor Roccato at the William Allen Middle School, Auditorium, 801 North Stanwick Road, Moorestown at 7:30 p.m. Attendance was as follows:

Daniel Roccato, Mayor	Christopher J. Schultz, Township Manager
John Button, Deputy Mayor	Thomas J. Merchel, Deputy Manager/CFO
Seth Broder, Councilmember	Patricia L. Hunt, Township Clerk
Greg Gallo, Councilmember	Thomas J. Coleman, III, Township Attorney
Michael Testa, Councilmember	

Mayor Roccato read the Open Public Meetings Act statement in full, as printed on the agenda. The meeting commenced with a moment of silence and flag salute. He welcomed everyone to the meeting.

Under Reports from Council, Mayor Roccato commented on the Memorial Day Ceremony finding it to be an outstanding event. He noted that the baseball ball fields were named after four men who graduated from Moorestown High School and served in Vietnam.

Mayor Roccato advised that the June 21, 2010 Executive Session meeting may be cancelled and that the next regular Official Action meeting would be held on June 28, 2010 in the Media Center at the William Allen Middle School.

There were no ordinances on second reading or minutes for approval.

It was noted that Mr. Testa may have to leave the meeting early.

There were no comments under Residents' Requests and Presentations.

Mr. Schultz read Ordinance 9-2010 on first reading by title and in pertinent part. He advised that the ordinance provides for no stopping or standing on North Church Street (west side) from a point 280 feet north of Locust Street. He also advised that the ordinance was required in furtherance of a condition of Planning Board approval.

ORDINANCE NO. 9-2010

**AN ORDINANCE AMENDING CHAPTER 168-65, ENTITLED
"NO STOPPING OR STANDING,"
OF THE CODE OF THE TOWNSHIP OF MOORESTOWN**

A motion was made by Mr. Gallo, seconded by Mr. Testa, to adopt the ordinance on first reading and set second reading and the public hearing date for June 28, 2010 at 7:30 pm. Upon a roll call, the vote was as follows:

AYES: Councilmembers Button, Testa, Gallo, Broder and Roccato
NAYES: None
ABSENT: None

Mr. Schultz read Ordinance 10-2010 on first reading by title and in pertinent part. He advised that said ordinance was a condition of Planning Board approval

ORDINANCE NO. 10-2010

VACATING PORTION OF ASHLEY COURT AND ACCEPTING DEDICATION

A motion was made by Mr. Broder, seconded by Mr. Button, to adopt the ordinance on first reading and set second reading and the public hearing date for June 28, 2010 at 7:30 pm. Upon a roll call, the vote was as follows:

AYES: Councilmembers Button, Testa, Gallo, Broder and Roccato
NAYES: None
ABSENT: None

Mr. Schultz read Ordinance 11-2010 on first reading by title and in pertinent part.

ORDINANCE NO. 11-2010

**AUTHORIZING AMENDMENT TO CHAPTER 175
OF THE CODE OF THE TOWNSHIP OF MOORESTOWN
TO REVISE CERTAIN WATER AND SEWER RATES**

A motion was made by Mr. Button, seconded by Mr. Testa, to adopt the ordinance on first reading and set second reading and the public hearing date for June 28, 2010 at 7:30 pm. Upon a roll call, the vote was as follows:

AYES: Councilmembers Button, Testa, Gallo, Broder and Roccato
NAYES: None
ABSENT: None

The Township Manager read Resolution No. 106-2010 by title in full.

**RESOLUTION 106-2010
FOR INTRODUCTION AND APPROVAL ON FIRST
READING OF THE 2010 BUDGET AUTHORIZING
PUBLICATION OF BUDGET, AND PROVIDING
FOR A PUBLIC HEARING ON THE BUDGET ON
JULY 12, 2010 AT 7:30 P.M. AT THE
WILLIAM ALLEN MIDDLE SCHOOL (MEDIA CENTER)**

Mr. Schultz read the following into the record: Based upon the direction Township Council at the various budget workshop meetings, the 2010 budget has been prepared and

submitted for introduction and approval. Current budget appropriations are \$22,846,180 and Water and Sewer Utility Budget appropriations are \$7,995,724. CURRENT BUDGET: The 2010 budget is \$22,846,180 which represents a \$747,788 or 3.17% reduction in appropriations compared with 2009. Appropriations are \$2,843,740 below the allowable appropriations CAPS amount. The budget utilizes a 98.20% collection percentage for purposes of calculating the reserve for uncollected taxes (2009 actual collection percentage was 98.77%). The township lost approximately \$550,000 in state aid revenues. There was no additional deferral in school taxes. The levy is \$15,293.075 which is \$756,296 less than the maximum levy cap amount allowable of \$16,049,371. The municipal tax rate remains unchanged at \$0.326 that means the average assessed home of \$538,900 will pay \$1,756.81 in municipal taxes (the same as 2009). UTILITY FUND: The 2010 budget is \$7,995,724 which represents a \$677,829 or 7.81% reduction in appropriations compared with 2009. The utility experienced a loss in available revenues based upon 2009's low consumption amount. Council must pass the scheduled rate increase ordinance to provide at least \$600,000 in additional rents revenues to balance the budget.

Mayor Roccatto advised that the public would have an opportunity to speak at the public hearing.

Mr. Testa asked why the public hearing was scheduled for July 12, 2010. Mr. Schultz explained that the public hearing cannot be held prior to twenty-eight days after introduction.

Mr. Gallo credited staff for its work and participation in the budget process. He noted that the Township suffered a significant loss in state aid; however, it will not be using a school tax deferral this year. He noted that use of school tax deferral should be saved for a rainy day. He commended the Township Manager, Mr. Merchel and staff for their efficiency. Mr. Gallo advised that it is Council's goal to create sustainable and manageable budgets. He hoped actions taken this year will put the Township in a better position for 2011, which has been forecasted to be a tougher year (by Mr. Merchel). He noted that there are significant tax appeals pending and Council had to take same into consideration.

Mr. Testa stated that it has been a difficult process. There has been a lot of dialogue with staff and vendors concerning ways to reduce costs and he believes same has resulted in a lot of positive developments.

Mr. Schultz advised that Council had last directed an additional \$100,000 reduction in operational costs and an additional \$150,000 in labor cuts. He advised on how he met the \$150,000 in labor cuts, i.e., a reduction in hours plan, which will affect the clerical unit, was submitted to the State. He advised of the process should the plan be enforced, but noted that it could also be rescinded. Also, there are two potential layoffs in the CWA. However, management is having ongoing discussions with both groups and hopefully any such action can be averted.

Mr. Button announced that over the past year, the Township has had discussion with the Board of Education regarding cost sharing. The Township is in receipt of a letter from the Board expressing interest and the Township will be pursuing said discussions with the Board, as well as all public entities.

Mayor Roccato noted that the Township has been doing more with less, just as the average homeowner is doing. He stated that the Township needs to be creative, tighter in its spending and ensuring that it is spending every dollar wisely. He expressed his appreciation for the employees who have come forward and hoped the other groups would do the same.

A motion was made by Mr. Gallo, seconded by Mr. Button, to adopt Resolution 106-2010, introducing the budget on first reading and setting the public hearing date for July 12, 2010 at 7:30 p.m. Upon a roll call, the vote was unanimous and the motion carried.

Under Consent Agenda Resolutions, the Township Manager read Resolution Nos. 102-2010 through 105-2010 and Resolution No. 107-2010 by title and in pertinent part. He advised that Resolution 105-2010 provides for a one-cent open space tax.

102-2010
AUTHORIZING MEMBERSHIP IN
A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

103-2010
AUTHORIZING EXECUTION OF AMENDMENT NO. 5 TO LEASE AGREEMENT
BETWEEN TWO EXECUTIVE REALTY, LLC AND THE TOWNSHIP OF MOORESTOWN
FOR MUNICIPAL OFFICE SPACE LOCATED AT 2 EXECUTIVE DRIVE

104-2010
AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF AGREEMENT BETWEEN
LOCKHEED MARTIN MS2 AND THE TOWNSHIP OF MOORESTOWN FOR USE OF
RECREATIONAL FACILITIES

105-2010
A RESOLUTION ESTABLISHING THE TAX LEVY FOR YEAR XII OF THE
MOORESTOWN OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC
PRESERVATION TRUST FUND PROGRAM

107-2010
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
MOORESTOWN IN BURLINGTON COUNTY, STATE OF NEW JERSEY AUTHORIZING
THE CHANGE IN PRESCRIPTION CARRIER FOR THE
TOWNSHIP EMPLOYEES AND POLICE RETIREES

Mayor Roccato opened the floor for public comment. There being no comment, the floor was closed.

A motion was made by Mr. Button, seconded by Mr. Broder, to adopt the resolutions. Upon a roll call, the vote was unanimous and the motion carried.

Under Manager's Report, Mr. Schultz advised that the Township is performing a survey and delineating the wetlands as same relates to the proposed solar project. He advised that there seems to be some misunderstanding by members of the community about what is occurring in connection with the project. He advised of what is transpiring and what the program entails. Mr. Broder advised that Medford Township recently engaged in a similar program and they are very excited about the benefits. He recommended that the Manager speak with the Mayor of Medford. Mr. Schultz advised that Mount Laurel is also looking at a program. Mayor Roccato advised that Council has asked the Manager to meet with the neighbors.

There were no expenditures to approve.

Mayor Roccato advised that Ron Kerins, Greyhawk Construction, and Steve Schoch, Kitchen and Associates, were present to provide a presentation on the Town Hall/Library project. Mr. Button advised that Council asked the team to advise on how the Township may move forward. He further advised that Beth Kitchen stepped back and Stephen Schoch is now the principal of the firm. Mr. Kerins and Mr. Schoch participated in a power point presentation reviewing the points in detail. Mr. Schoch advised that they revisited the core of the existing town hall which has value in it and determined that the way some of the additions were planned to be carried out were very complex. The team will look at eliminating and/or simplifying the building systems and complexities. He also advised that Building 2 had grown an additional 5,000sf (60,000sf to 65,000sf) as a result of either certain desires and/or additional functions being placed in the building. The team will bring the scope back within the original goal of 60,000sf. The team reviewed an extensive list of potential/planned ways to cut costs and the costs savings in connection with each item. Mr. Kerins advised that same was a range of savings; construction is complex. He advised that as the design progresses, the team will realize the real savings, which are hard to determine at this point. Mr. Kerins advised that there is a 3.5% to 4.9% potential savings.

Mr. Kerins sought Council's approval to move forward in furtherance of the presentation just given. He advised that the team will return in August with new information and a potential to rebid in October. The anticipated schedule of events was reviewed. Mayor Roccato suggested changing the next meeting to a work shop meeting (for purposes of more discussion) prior to granting approval.

Mr. Button noted that the team is now proposing a \$12.2 million dollar budget for hard cost, which is \$600,000 higher than the original \$11.6 million projected. Mr. Gallo raised concern with the proposal to remove the AV from the project, as same is a huge need. Mr. Kerins advised that the budget does allocate \$400,000 for AV; however, it will be bid separately this time. Mr. Broder noted that he thought the costs had decreased, but the presentation revealed an increase. Mr. Kerins advised that the numbers are not tight numbers. Mr. Button supported the idea of an additional meeting before any final decisions. Mr. Kerins, in response to Mayor Roccato's questioning, confirmed that the project will be bid "non-PLA."

Mayor Roccato opened the floor for public comment concerning the Town Hall/Library project only.

Edwin Begg, 209 Parry Drive, supported the construction of new Town Hall and Library, but had questions and concerns regarding same. He expressed a concern with spiral staircases and glass fronts. He asked who was in charge while the project grew beyond the scope. He noted that the management system was seriously flawed and stated that there needs to be standard operating procedures in place. Upon questioning, Mayor Roccato provided clarification on the PLA and advised that if Council chooses to rebid, it will be bid without the PLA requirements. Mr. Begg questioned the future use of the existing library site and was advised that there are no plans at this time; the Economic Development Advisory Committee will be making a recommendation(s) in that regard.

Pat White, 104 Foxwood Drive, advised that the residents have waited a long time for this new library and she felt the architect pulled a bait and switch this evening with the project now being stripped down. She suggested Council look at other architects.

Mike Locatell, 526 East Main Street, found the cost growth of the project (from \$11.6 to \$16.6 million) to be mindboggling. He stated that now there is a proposal to scale back to \$12.6 million. He recommended scaling back to the original \$11.6 million, with or without a new architect. He also suggested managing subcontractors, as opposed to a prime contractor, noting same would provide cost savings.

Eckard Czossek, 26 Apple Orchard Road, stated that the new Library looks smaller than the existing Library and questioned whether same was due to technology. He suggested providing all residents with electronic tablets and doing away with the extra space.

Richard Koory, 517 Chester Avenue, advised that he has never supported building an administrative building. He recommended rehabbing the old Town Hall and locating the Library and Administration in that building. Rehabbing the old Library and relocating the Police Department there, with additional room for whatever else may be needed.

Sandra McGuire, 5 Circle Drive, stated that she was present in the 1970s when the complex was built. She stated it was a disgrace then and it is a disgrace now. She recommended starting over if that is what is necessary to get it right.

Roger Boyell, 416 Parry Drive, expressed his embarrassment with the outcome and his dismay with how much money has been spent over the past two years, with no difference from the day this started. He expressed his dismay with the architect; he reviewed the original proposal and design concept processes. Mr. Boyell expressed his objection to the fact that Council has not chosen to utilize the expertise of residents, including himself, who have offered their services in connection with the project. Mr. Boyell spoke unfavorably about the architect and engineer and the condition of the existing site. Mr. Boyell inferred that the insurance settlement was never discussed publicly and felt same was spent on the professionals. He recommended they be fired and that Council return to the original needs analysis.

Monique Begg, 209 Parry Drive, expressed her concern and lack of confidence in the Township's professionals in charge of the project.

Mayor Roccatto closed the public portion. He advised that a workshop meeting will be held next week in order that the team can move forward. Mr. Broder asked that Council consider, at the next meeting, appointing a blue ribbon panel. Council agreed on changing the June 21st meeting from an Executive Session to a workshop.

Under 2010 Outstanding Appointments, Mayor Roccatto advised he would like to appoint Sandra McGuire to the Library Board of Trustees. He listed her attributes. There were no objections.

Mr. Testa advised that he will discuss the additional member appointments to the Recreation Advisory Committee at the next regular meeting.

Mr. Broder asked Mr. Merchel for the status of the connection fee issue as someone is looking to open a restaurant on Main Street. Mr. Merchel advised that the Manager has sent the analysis to Mr. Kondracki. Mr. Schultz suggested that discussion be placed on the June 28th agenda.

At 9:07 p.m., Mr. Testa excused himself from the meeting as he had an appointment.

Under Comments from the Public, Mike Locatell, 526 Main Street, asked if Council has considered the public works site as a location for the solar panel program. Mr. Schultz advised that other options have been explored and it was determined that the sewer plant site was the best location. Discussion was held. Mr. Locatell provided suggestions. Mr. Locatell also provided a suggested solution to the connection fee issue.

Monique Begg, 209 Parry Drive, asked for the status of the environmental study being performed on the Nagle tract. She advised that she wants to know if the property will be used for low income housing. Mr. Schultz recommended that she contact him.

Scott Cooper, 100 Country Club Drive, member of the Recreation Advisory Committee (RAC), advised that RAC has a new website which allows registrants to register for programs online; however, the Township does not accept electronic payments, which defeats the purpose of online registration. He looked to Council to do whatever it takes to make electronic payments available. Mr. Broder agreed.

Nichol Bellino, 23 Windermere Drive, advised that she use to get flyers regarding upcoming recreation programs; however, she no longer receives same. She advised that she received a recreation booklet that looks pretty; however, the registration periods had expired by the time she received it. She also expressed her disappointment in the closing of recreational facilities around town. She encouraged that Council ensure that the facilities (skate park and rec center) be opened and available to the children who may not have anywhere to go. Mr. Schultz advised Ms. Bellino that he would have the Recreation Director contact her. Ms. Bellino asked for the Director's salary. Mr. Schultz advised of same.

Garrick Stafford, 250 Springhouse Lane, asked that Council consider demolishing and building new in connection with the Town Hall/Library project. He also offered any help in connection with recreation programs. He advised that his daughter, who is in high school, says the rec center is closed when she goes there and the parks are closed. He stated that the doors of

the recreation center need to be open to the community and he asked how he can help. Mr. Schultz advised that he would have Ms. Miller contact him.

Theresa Wilkouser, 287 South Church Street, advised that she raised her children in Philadelphia and it is the recreation center that kept them from jail or getting killed. She noted that the skate park is closed and found same to be a disgrace. She warned that Moorestown is loosing its "best place to live in America" status and she suggested that Council start thinking of what it can do for the children in the community.

There being no further comment, the public portion was closed.

Under Closing Comments from Council, Mr. Gallo advised that he has not been quiet about his frustrations (not embarrassment) with the Town Hall/Library project. He noted that the current Council inherited some of the process and acknowledged that it is responsible for what happens on its clock. Mr. Gallo did not feel it would be prudent to make any rash decisions at this moment. He outlined his frustrations but stated that Council is pushing back as hard as it can and it must move forward.

Mayor Roccato agreed with Mr. Gallo and stated that memories are selective. He affirmed that there have been no secrets or alternate agendas. He stated that no one has worked harder than Mr. Button on the project. He regretted that the Township was in the position it was in, but assured everyone that things will move forward.

At 9:45 p.m., a motion was made by Mr. Broder, seconded by Mr. Gallo, to adopt the standard resolution to enter into closed session for purposes of discussing contract matters relating to collective bargaining agreements, Pulverizing Inc. Site/Tax Title Liens, performance of certain professionals and Contract Negotiations regarding acquisition of water for the Toll Brothers and Virtua projects. The vote was unanimous and the motion carried.

At 10:15 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report with regard to the matters discussed in closed session. There being no further business, a motion was made by Mr. Gallo, seconded by Mr. Button, to adjourn. So moved.

PATRICIA L. HUNT, RMC
Township Clerk