

**PILESGROVE TOWNSHIP
REGULAR MEETING
OCTOBER 9, 2007
MINUTES**

Mayor Ernie Bickford called the regular meeting of the Pilesgrove Township Committee to order at 7:00 PM, followed by the Pledge of Allegiance. The Clerk read the annual notice statement:

This meeting is called pursuant to the provisions of the Open Public Meetings law. This meeting of October 9, 2007 was included in a list of meetings notice sent to the Today's Sunbeam and the Elmer Times on January 3, 2007, posted on the bulletin board at the Municipal Building on January 3, 2007 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Mayor Bickford advised that proper notice having been given; the Clerk is directed to include this statement in the minutes of this meeting.

Attendance: Ernest Bickford
Edward Kille
William Miller
William L. Horner, Esq.
Ruth Moynihan

Motion made by Kille, 2nd by Miller to approve the minutes of the September 4, 7, 10, and 11 (AM), & 11 (PM), 2007 meetings. Ayes all.

Motion made by Miller, 2nd by Kille to approve the minutes of the September 18 & 25, 2007 meetings. Ayes Kille and Miller, Bickford abstained.

Motion made by Kille, 2nd by Miller to approve the bill list in the amount of \$644,802.49 as presented by the Treasurer. Ayes all.

Motion made by Kille, 2nd by Miller to approve the Tax Collectors report for September 2007. Ayes all.

Motion made by Miller, 2nd by Kille to approve the cost of a "shredding event" on Saturday, October 27, 2007 in an amount not to exceed \$2,000.00. Ayes all.

Motion made by Miller, 2nd by Kille to approve final payment to Asphalt Industries, Inc. in the amount of \$43,958.47 for the 2007 Maintenance & Repair Program. Ayes all.

Motion made by Kille, 2nd by Miller to approve to accept the total dividend from the TRICO JIF in the amount of \$3,408.00 as a credit against the Township's 2008 assessment. Ayes all.

Motion made by Kille, 2nd by Bickford to accept the proposal of Cati-Com in the amount of \$325.00 for inspection of the fire alarm systems in the Municipal Building and Public Works garage. Ayes all.

Motion made by Miller, 2nd by Kille to approve Resolution 07-087, recognizing the years of service to the Marlton Park by Jerry Hoglen. Mr. Miller stated that he had been involved in the establishment of the Park be in the early 1980's, and thanked Mr. Hoglen for his commitment in keeping the one of the finest recreation facilities in South Jersey. Jeff Hepler, President of the Pilesgrove Woodstown Recreation Association, also thanked Mr. Hoglen. Park staff Donna Nestor and Bob Duffield congratulated Mr. Hoglen on his retirement and let him know that he will be missed.

Motion made by Kille, 2nd by Miller to approve Resolution 07-099, appointing Robert Waddington to the Woodstown-Pilesgrove Joint Environmental Commission. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 07-100, supporting the Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 07-101, approving an Administrative Services Agreement with Lincoln Financial Advisors to administer the Length of Service Award Plan (LOSAP) for the Township of Pilesgrove and its participants. Ayes all. Additional discussion took place as Ms. Moynihan explained to Committee the paperwork required before any contributions can be made into the Program.

Mr. Horner explained the proposed Ordinance 07-14, Amending Chapter 145 “Land Use” of the Code of the Township of Pilesgrove to Permit and Provide Requirements for Planned Industrial General Development Plans in the Planned Light Industrial (PLI) Zoning District. A GDP is for large projects that do not fit into the general parameters of the Township Land Use regulations. This departs from typical zoning with performance standards for the developer that are reviewed by the Planning Board and agreed upon by the developer and the Planning Board. There was a discussion among Mr. Horner, Township Planner Chris Warren and Special Counsel Jeff Surenian on the affordable housing portion of the ordinance. Mr. Surenian had some concerns because a GDP does not include residential development, but does impact the Township’s COAH obligations. Mr. Warren explained the flexibility of the ordinance to Mr. Surenian, and he agreed that the affordable housing portion should remain in the ordinance. Mr. Horner has consulted with Planning Board Solicitor John Hoffman on the notice requirements, and believes that notice to all property owners within 200 feet of the affected zone should be notified. Mr. Miller asked if this is a change to the Master Plan, and Mr. Horner advised it is not, it is an ordinance that does not affect the Master Plan. Mr. Horner and Mayor Bickford explained the process of referral to the Planning Board.

Motion made by Kille, 2nd by Miller to approve on first reading

Ordinance 07-14
Amending Chapter 145 “Land Use” of the Code of the Township of Pilesgrove
To Permit and Provide Requirements
For Planned Industrial General Development Plans
in the Planned Light Industrial (PLI) Zoning District

Roll call: Kille yes, Miller yes, Bickford yes.

Motion made by Kille, 2nd by Miller, to approve Resolution 07-102, referring Ordinance 07-14 to the township Planning Board for review. Ayes all.

Discussion took place on proposed Ordinance 07-15. This ordinance has not been referred to the Township Committee by resolution of the Township Planning Board. The Clerk requested Committee provide direction on the process they would like in place with regard to referrals from the Township Planning Board. The Township Planner requested that Committee consider this proposed amendment. Mr. Miller recommended that in the future, recommendations such as this are presented to Committee by a signed resolution from the Township Planning Board in time for a full review. Mr. Horner agreed that a formal referral is important, but the Township Committee does have some leeway for consideration of ordinances. Mr. Horner explained this ordinance, and a lengthy discussion took place on the purpose of the ordinance, which is to change the length of time between minor subdivisions from 5 years to 10 years. Additional discussion took place on criteria for establishing the date to be used in the timeline of the minor subdivisions.

Motion made by Kille, 2nd by Miller to table

Ordinance 07-15
Amending the definition of Minor Subdivision
In Section 145-8, Definitions, of the Code of the Township of Pilesgrove

Roll call: Miller yes, Kille yes, Bickford yes.

The Clerk was directed to draft a letter, in consultation with Mr. Horner, to the Township Planning Board detailing the Committee’s concerns on the Ordinance.

Motion made by Miller, 2nd by Kille to approve changing the date of the November regular evening meeting from November 13 to November 20. Ayes all.

Motion made by Miller, 2nd by Kille to open the public comment portion of the meeting. Resident Carole Robinson, 3 Wick Drive, asked Mr. Kille to explain a comment he made at the September 18, 2007 work session regarding a “major reorganization” in the Township. Mr. Kille explained that the Township government, including Committee and the Planning Board, reorganize in January of each year.

Resident Jerry Anton, Avis Mill Road, requested that the Tuesday morning work sessions be added to the display board outside the building for the public’s information.

Resident Joseph Hiles, Kings Highway, inquired on Resolution 07-101. Mr. Hiles asked that since the LOSAP Program was approved by the voters in 2005, would payments be made retroactive and would any compensation be made for lack of the interest on the accounts. The Clerk and CFO Moynihan explained that the voters approved the Program in 2005, but it did not go into effect until 2006, and the contributions to the program are always made in the following year, once the Fire Company has provided the Township with the qualifying participants. In 2007, the 2006 contribution is being made.

Mr. Hiles inquired on the how the Township is going to fund the LOSAP Program, since the voters did not approve a tax increase for the program. Mr. Kille advised that LOSAP is funded directly out of the Township treasury. CFO Moynihan explained that the \$.05 local purpose tax is to fund this program, other programs in the Township and to replenish diminishing surplus.

Motion made by Kille, 2nd by Miller to close the public comment portion of the meeting. Ayes all.

Motion made by Kille, 2nd by Miller to go into closed session to discuss matters in accordance with N.J.S.A. 10:4-12, specifically litigation in the matters of Cotler v Pilesgrove, SJ Builders League v. Pilesgrove and Pacilli v. Pilesgrove. Ayes all.

Motion made by Kille, 2nd by Miller to reopen the meeting to the public. Ayes all.

Motion made by Kille, 2nd by Miller to authorize Mr. Horner to accept service in the matter of Cotler/Pierson v Pilesgrove via certified mail. Ayes all.

Discussion took place on the request by the residents of Waterview Drive for certain Township services. The New Jersey Department of Environmental Protection has issued a notice of violation to the developer, and the area involved in the issue includes a portion of Waterview Drive. Currently, Waterview Drive is owned by the developer, it has not been dedicated to the Township. Based on the recommendation of the Township Solicitor and Engineer, the Township should not accept Waterview Drive until the issues with the NJ DEP have been resolved. The Clerk has contacted the Township Insurance Company, and Mr. Horner concurs, that the Township can provide the chipper service to the residents without accepting the road.

Motion made by Kille, 2nd by Miller to authorize the Township Public Works Department to provide chipper service to residents of Waterview Drive. Ayes all. The Clerk was directed to advise the Public Works Department of the Committee’s decision on this matter.

Motion made by Kille, 2nd by Miller to adjourn at 8:45 PM. Ayes all.

Maureen R. Abdill, Clerk