

**MOUNT LAUREL TOWNSHIP COUNCIL
SPECIAL MEETING
MARCH 23, 2009**

A Special Meeting of the Mount Laurel Township Council was held on Monday, March 23, 2009 in the Courtroom of the Mount Laurel Municipal Building. The meeting was called to order by Mayor Keenan at 7:37 p.m.

ROLL CALL

The members of Council present were Mayor Keenan, Deputy Mayor McCaffrey, Councilwomen Bobo and Riley and Councilman Smith. Also present were Patricia Halbe, Municipal Clerk; Debra Fourre, Township Manager; and Christopher Norman, Esq., Township Solicitor.

PUBLIC ANNOUNCEMENT

The Public Announcement, which is required by the "Open Public Meetings Act" of the State of New Jersey and read at every meeting of the Township Council was read by the Municipal Clerk.

09-R-89 **EMERGENCY TEMPORARY BUDGET APPROPRIATIONS FOR 2009**

The Clerk read the resolution as entitled. A motion for adoption was made by Councilwoman Riley, seconded by Deputy Mayor McCaffrey and enacted on a unanimous roll call vote

The Municipal Clerk indicated that this resolution is necessary in order to participate in the MACCS Program.

Mayor Keenan questioned if we know when the condo associations will be going into the MACCS program. Ms. Fourre stated that 6 associations will be transitioning on April 1st, 6 more on May 1st and the rest are staggered

Mayor Keenan confirmed that this was placed on the agenda as a result of the memo from Pat Halbe to Ms. Fourre. Ms. Halbe verified that she was told by the administrator of the MACCA program that they could not have us participate if we did not complete this process by their start date of April 1st. Ms. Fourre stated that she does recommend participation as it is a shared services program although she still is skeptical about the cost of tipping fees vs. what we pay now. They are marketing it that we would save money.

09-R-90 **RESOLUTION AUTHORIZING THE FUNDING OF THE TOWNSHIP OF MOUNT LAUREL'S SHARE OF THE MACCS CONTRACT WITH WASTE MANAGEMENT OF NEW JERSEY, INC. FOR SOLID WASTE COLLECTION SERVICES**

The Clerk read the resolution as entitled. A motion for adoption was made by Deputy Mayor McCaffrey, seconded by Councilman Smith and enacted on a unanimous roll call vote.

ORDINANCE FOR FIRST READING

2009-5 AN ORDINANCE ESTABLISHING A NEW MOUNT LAUREL SECTION 154-131.18, DEVELOPMENT FEE ORDINANCE, IN THE TOWNSHIP CODE OF THE TOWNSHIP OF MOUNT LAUREL, AND REPEALING THE CURRENT PROVISIONS OF MOUNT LAUREL SECTION 154-131.18, DEVELOPMENT FEE ORDINANCE, IN THE TOWNSHIP CODE OF MOUNT LAUREL, TO COMPLY WITH P.L. 2008, C. 45, AMENDMENTS TO THE NEW JERSEY FAIR HOUSING ACT.

Township Solicitor, Chris Smith, indicated that the ordinance was being reintroduced to change the language in the ordinance to make clear that we will remain under the jurisdiction of the Superior Court and not COAH.

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The Municipal Clerk stated that the Public Hearing date will remain the same as when originally introduced since there was an extra week between meetings and it will still meet the legal requirements.

Ordinance 2009-5 was read as entitled by the Municipal Clerk. It was moved by Councilwoman Riley with an Introduction Date of March 23, 2009 a Publication Date of March 26, 2009 and a Public Hearing Date of April 6, 2009. Councilman Smith seconded the motion. Upon a unanimous roll call vote, Ordinance 2009-5 was ordered on First Reading.

RICE NOTICE HEARING

Mr. Norman stated that he had delivered a Rice Notice to the Manager on Friday to discuss a personnel matter and under the Rice decision she has the right to have it heard in either open or closed session. In speaking with her attorney this afternoon, she has indicated a preference to have it heard in closed session.

Councilwoman Riley stated that the memo indicates that Township Council has placed the item on the agenda. She would like to know who directed the solicitor to serve the Rice Notice since she was not part of any discussion of it.

Mayor Keenan stated that there was no discussion among Council. After the Thursday night meeting, he thought it was imperative that Council speak about some of things they had heard and he thought that there should be proper notification so the Manager had time to decide how she wanted to do it and to insure that Council did it properly

Councilwoman Riley commented that the decision he had made asked the Solicitor to take action on behalf of the Council without discussing it first with Council. Mayor Keenan responded that if they discussed it first, they would be discussing it without a Rice Notice. His point was that they had an opportunity to discuss what they heard at the last budget meeting. If they do not want to discuss it, they do not have to.

Councilwoman Riley stated she wants everyone to remember that they are all equal votes and all equal voices. Mayor Keenan stated that he wanted to protect the township and the employee and that is why it was done.

PUBLIC COMMENT

Carl Buck – 173 Briarwood Road – Owns two condo units at Ralston Drive. Stated that he just came from a condo association meeting and many of the condo associations still have a lot of questions about the company and the Agreement. A schedule for bulk pickup is not yet listed for Mount Laurel communities. There are schedules for all the other communities except Mount Laurel and Westampton.

Ms. Halbe responded that Mt. Laurel and Westampton are both new into the program. She indicated that any Association with a current contract will continue with their contractor until it expires. After the contract expires, they will come into the MACCS program.

Mr. Buck was not sure if LeClub II was being included for April 1st pickup. He is also concerned that they are indicating that bulk pickup is only to be twice a month when they currently have it once a week. He is hopeful that these items are addressed.

Ms. Halbe reported that at the MACCS meeting, it was stated that they do not want the bulk pickup items to sit there and they will work with the condo associations on the matter. The condo associations should initially call AVR, which is a Mount Laurel-based company, and if they are not satisfied, they should then contact the Township. All the other municipalities that have been participating indicated that they were satisfied with the MACCS service.

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Fred Braun – 104 Haines Road – Questioned apartment trash pickup and why would we be responsible for picking up from a commercial installation.

Ms. Halbe indicated that the state law was originally only for condo associations and then was changed after litigation to also include apartment reimbursement.

Marilyn Jones – 4314 Church Road – Stated that the Township has never had problems like we have this year. It is hard for her to justify the Township making cuts and discussing furloughs when several offices are getting 3% raises. There was never a second summer trash pickup for years and everyone should be happy that we have one pickup. She has an issue with cars going home with people who do not live in Town such as Ms. Fourre and Mr. Holshue and some other township officials. She feels the Emergency Management Coordinator lives in town and he should get a car. She feels there should be no raises across-the board. She does not think we should have a tax increase and she questions if there a need for a tax increase. She does not feel retired people can afford any more taxes. She heard a letter read on the radio about an 11 year old and 8 year old whose father had a stroke and the children used their piggy bank money to pay the taxes. She had no money for her class trip and the people called in and donated the money. It is affecting the children also. People in California have lost their homes and are living in tents. Cutbacks can be made without making them at the expense of the employees.

ADJOURNMENT

A motion was made by Councilwoman Riley and seconded by Deputy Mayor McCaffrey. All were in favor and the meeting was adjourned at 8:07 p.m.

Respectfully submitted,

Patricia Halbe, RMC
Municipal Clerk

The minutes of this meeting are summary minutes. A copy of the tape recording will be available in the office of the Municipal Clerk for four years.