

**MOUNT LAUREL TOWNSHIP COUNCIL
SPECIAL WORK SESSION
JANUARY 19, 2010**

A Special Work Session of the Mount Laurel Township Council was held on Tuesday, January 19, 2010 at 7:00 p.m. in the Municipal Courtroom of the Mount Laurel Municipal Building. The meeting was called to order by Mayor James Keenan.

ROLL CALL

The Members of Council present were Mayor James Keenan, Deputy Mayor McCaffrey, Councilwoman Linda Bobo and Councilman Chris Smith. Also present were Patricia Halbe, Township Clerk, Jennifer Blumenthal, Township Manager, and Christopher Norman, Esq., Township Solicitor. Councilwoman Riley was absent.

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.

NEW DCD PROCEDURES

Ms. Blumenthal, Township Manager, stated that for the past several months she has been receiving complaints regarding inspections done without notification to the residents for permits that were put in a few years prior. This was within the guidelines of the law but she thought they could do better as far as customer service was concerned. She worked with the Director of Community Development and came up with procedures where residents can now schedule inspections, which was not allowed before and the township is now calling residents before they perform the final inspections on their homes. She believes this will solve some of the customer concerns that she has been receiving. The contractor is responsible for contacting the township to perform the final inspections and we are not tracking the permits and if we do not hear back from them in six months, we are now following up with the contractor.

Mayor Keenan questioned why we were contacting the contractor and not the homeowner. Ms. Blumenthal responded that it is actually the responsibility of the contractor to have his work inspected.

Deputy Mayor McCaffrey questioned if the contractors are aware that it is their responsibility. Ms. Blumenthal responded that it is either part of the application or the code and that is what we have been following. Deputy Mayor McCaffrey felt it should be part of the application if it is not already.

Mayor Keenan was concerned that if a contractor goes out of business, who would be contacted? Ms. Blumenthal indicated that the homeowner is contacted regarding the inspection date but the contractor is contacted if we have not heard back that the work was completed after six months. Mayor Keenan felt that there should be more contact with the homeowner since the work is on their home and he asked her to discuss this with Mr. Holshue.

LICENSING AGREEMENT FEES

Ms. Blumenthal stated that this was discussed previously and determined that the licensing agreement fees should fall on the homeowner. She reached out to our engineer and planner and they come with a flat fee of \$200 per professional. The licensing agreements will now come into DCD and they will determine whether it should go to Alaimo or to Mr. Glass or to both. A large percentage of the time, we will only need one of the professionals to do the inspection as per her discussion with them.

Councilwoman Bobo questioned if it will be \$200 each if both are needed. Ms. Blumenthal indicated that it would be but they feel that the majority of the time there will only be one inspection needed. In about 5% of the time, they will need to pay \$400 for both professionals. Councilwoman Bobo also questioned how the homeowner will be

01-19-10

notified if it is \$400 vs. \$200. Ms. Blumenthal responded that she could put that into the procedure.

UPDATE ON EMERGENCY SNOW PLAN REVISIONS

Mayor Keenan stated that they had met at a special work session meeting before the public meeting last Monday with the Director of Public Works, EMS Chief Pagurek and Fire Chief Gallos to discuss the concerns with the snow removal procedures in place and had asked these professionals to make recommendations for changes that could be implemented to make improvements.

Ms. Blumenthal indicated that some changes could be implemented immediately and other revisions cannot be made until the end of the year or early next year. The snow emergency plan works well for 2-6 inches but failed us on the higher levels. We also had numerous complaints from people on cul-de-sacs that could not get out for several days. Our snow removal plan previously focused on the primary roads. There were two issues that came up, one was the issue of the non-primary streets and the other was getting communication to the residents. We decided to contract out for the non-primary streets and we have received some quotes already. We will use the private contactors for Holiday Village, Holiday Village East, Birchfield and Stonegate areas. That will get them plowed out quicker and relieve our manpower and equipment to go into other areas. We have also reached out to the MUA and the Schools to utilize their manpower and equipment. She has also approved for the township to purchase 3-5 snow boxes so it will push the snow and give a much cleaner plowing. We will also be enforcing no parking regulations during the snowstorms.

Ms. Blumenthal stated that the Township is we also setting up snow desks where people can call in to reach live people to speak to them. We are also trying to use our GPS to track the vehicles and give people a better estimate of when their street will be done. We have also implemented the use of Nixle to update people in real-time to provide information and give updates every few hours. We will also have information on our phone system that people can listen to before being contacted to the phone desk.

Mayor Keenan questioned the number of inches before we do cul-de-sacs and at what number of inches we start that. We had hired contractors previously but have not had very much snow in the past three years and lost our outside contractor. We are now reaching out to other contractors to do this work so we can handle it. Mayor Keenan asked if an inventory of our equipment could be provided as well as MUA and School equipment that can be used

Deputy Mayor McCaffrey questioned how we would notify the people that they live on snow emergency routes since people forget since we have this amount of snow infrequently. Ms. Blumenthal responded that they would be installing new signs since they are faded. Mayor Keenan felt that we could notify people via Nixle and he also felt that the police could notify the block captains of the neighborhood watch.

Councilwoman Bobo questioned how we can insure that the contractors will give us priority of their time and resources. Ms. Blumenthal stated that Mr. Basim has been in contact with them and we are going to use them even on the small storms so they will feel committed to us but we do not want to pay a retainer to them.

Mayor Keenan questioned the standard for plowing. Mr. Basim stated that the contractors would only be plowing when we notify them and if the township is also plowing.

Councilwoman Bobo questioned if the MUA and the Schools are going to provide the services for free. Ms. Blumenthal stated that she will be meeting with them and she is sure they will be reasonable and it will be a reimbursement of what they had to pay.

WALTON AVENUE RECOMMENDATION

Ms. Blumenthal stated that she had sent a memo to Mayor and Council on December 3, 2009 with recommendations. We have been discussing this for some time and the township has incurred approximately \$10,000 in professional fees to look into this matter. She is recommending that we honor our agreement with Atapco to widen Walton Avenue. We looked at three alternatives and they all cost over \$500,000 and that does not include design costs, the purchase of right-of-way acquisition and bridge reconstruction and maintenance costs. The County informed us that if we end up cul-de-sac-ing Walton Avenue they will no longer maintain the bridge for us so that would be an ongoing cost. Looking into purchasing right-of-ways or land acquisition needed brought the costs to over one million and in some cases, over two million dollars. We have a contract with Atapco and they are not in agreement with the closing of Walton Avenue because it affects his property and potential leases. We would also need amended site plan resolutions, environmental analysis, wetland delineation and possible condemnation. We would also need additional State approvals and wetland permits as well as Planning Board approvals and a revised developers agreement. There are no guarantees that any of these approvals would come out favorably and would be of great expense to the township. There is also additional liability to the Township. There is also a lot of traffic that uses Walton Avenue and the only benefit would be to the 5 homes along Walton Avenue. Ms. Blumenthal cannot recommend that any changes be made other than those previously agreed to with Atapco.

Mr. Norman stated that the agreement with Atapco is enforceable by Atapco and the provisions were negotiated to provide favorable access to serve his tenants and the alterations are something that the developer is not inclined to do and could cause additional liability by the township for breach of contract and Atapco's loss of future profits.

Councilwoman Bobo stated that it is hard to justify spending \$1 million in these hard economic times and with the potential litigation and the potential liability and a responsibility for ongoing maintenance of the bridge.

Deputy Mayor McCaffrey reported that he read that Hovnanian has just sold the assisted living center. He is not sure the new owner would be agreeable and if the remainder of their development is built, there will be more than 1600 cars per day going past that property. He believes it would be much more than \$1 million to correct things to the residents' satisfaction. He is not sure it would resolve the situation no matter what we do and he thinks it would bring a lawsuit against the township.

Mayor Keenan stated that one of the Planning Board requirements was for the widening of Walton Avenue according to the specifications of the County. He asked about calming devices for in front of the residences. Mr. Norman responded that it should be posed to Mr. Litwornia. Mayor Keenan felt that curbs and sidewalks could also define the street better and make it safer. He would like Mr. Litwornia to give prices for traffic calming and traffic safety measures.

Councilman Smith questioned what the triggering point was for a traffic signal. Mr. Norman responded that when the traffic counts reach a certain point and if Briggs Road is signalized, it might take some of the traffic off of Walton Avenue.

Mayor Keenan stated that he is still concerned for the five residents and their safety and making the improvements sooner.

MOUNT LAUREL MEMORIAL PARK CONTEST

Ms. Blumenthal reported that she had spoken to Marie Reynolds and Rob Wachter from the Mount Laurel schools and they feel we need to narrow down the age groups for participation in a contest, perhaps from 5th to 8th graders. Council asked that it be added to the next work session for discussion.

01-19-10

PUBLIC COMMENT

Harry Schmoll – Peppergrass Drive South – Stated that residents of Holiday Village East were upset about the snow removal from the last storm and he is glad the township is making changes to the procedures. HVE has their own contractor that does the aprons, sidewalks and paths to the residents’ doors. The township contractor plows them in again. All the roads are important since EMS needs to get in. There were six streets that were not plowed at all and six were only partially plowed so they had their contractor do them and have sent a bill to the township.

Terry Hassett – Walton Avenue – Stated that there was a question in the packet she had provided that Kurt Shepherd had raised to Lieutenant Dugan a number of years ago regarding whether a precedent was being set with closing Marter Avenue. She asked for a copy of the summary. Mayor Keenan provided a copy of Ms. Blumenthal’s memo.

Mrs. Hassett stated that she had been coming for 2 ½ years and only got the four-ton limit posted and the township spent \$10,000. She calls the companies herself and most of the companies are receptive. School bus #43 goes through every day. Nothing gets resolved.

Mayor Keenan responded that the township had reduced the speed limit and posted the four-ton weight limit. We need to enforce the four-ton weight limit.

Deputy Mayor McCaffrey commented that the township did not ignore the residents. We thought there were other ways to resolve the problem but there are not. Speed humps and curbing may help. We may want to try temporary humps.

Steve Hassett – Walton Avenue - Stated that the problem arose only because the township closed off Marter Avenue. Now they will have 8000 cars on their street. He questioned the agreement with Atapco and for how long it is in effect.

Mayor Keenan responded that the township would look into the agreement.

Harry Ivory – 2 White Stone Court, Holiday Village – Stated he is a 22 year resident and their development has 711 homes for people ages 55 to 90+ with medical and physical problems. They send J&S contractors to assist the residents in getting out in an emergency. Holiday Village would have helped the township as their contractor stores his equipment there. We need better coordination and we can and will help the township. He will meet with Ms. Blumenthal to discuss a plan. He had an agreement with Ms. Halbe that worked well and they have had a good relationship with Council. He recommends using the contractor the HV already has.

CLOSED SESSION

The Clerk read resolution 10-R-44, authorizing Mount Laurel Township Council to go into closed session for discussion of litigation matters. A motion was made by Councilman Smith and seconded by Councilwoman Bobo. All were in favor and Council went into closed session at 8:30 p.m.

RETURN TO OPEN SESSION

A motion was made by Councilwoman Bobo and seconded by Councilman Smith to return to Open Session. All were in favor and Council returned to open session at 9:50 p.m.

01-19-10

ADJOURNMENT

A motion was made by Councilman Smith and seconded by Councilwoman Bobo to adjourn the meeting. All were in favor and the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Patricia Halbe, RMC
Municipal Clerk

Transcribed by
Patricia Halbe

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

