

SPECIAL COUNCIL MEETING  
MARCH 12, 2009  
7:00 P.M.

CALL TO ORDER:  
STATEMENT OF  
ADVERTISEMENT:

Notice of this meeting has been provided to the Courier Post, Inquirer and Record Breeze along with being posted on the Borough Hall Bulletin Board stating the time and place of the meeting.

ROLL CALL:                   PRESENT

MAYOR JOHN GENTLESS  
BEN ANGELI, COUNCIL PRESIDENT  
STEVE VENUTO, COUNCILMAN  
WILLIAM GROVER, COUNCILMAN  
MICHAEL SANTORO, COUNCILMAN  
HOLLY TATE, COUNCILWOMAN  
MICHAEL PEREZ, COUNCILMAN  
JEFFREY BARON, ESQ.  
LARRY WAETZMAN, PLANNER  
JOHN D. KEENAN, JR., BOROUGH CLERK

Mr. Baron informed the public of Mr. Grover's recent appointment, and welcomed him back.

Mr. Baron also informed the public of the 30 minute limit for speaking. Mr. Baron swore in Mr. Waetzman, the Borough Planner.

Mr. Waetzman explained there are three areas in the redevelopment study. Area 1 is in two pieces made up of the bowling alley and the two adjacent apartments, Bishop and Stratford Court. He explained the various blocks and lots that made up the entertainment section of the bowling alley area, and the residential portions of Area 1. He went on to describe Area 2 which is the former Bradlees site, Block 62, Lot 2, and the old Warwick Road Shopping Center lot and block.

Mr. Waetzman explained the local housing act and the legislation. He stated the Joint Land Use Board (JLUB) has recommended the need assessment and redevelopment plan. He spoke to the criteria of meeting the regulations of redevelopment. He went through the particular criteria and which criteria each area had met.

He stated all three areas met criteria "c". He stated the lack of recreational activities for the apartments was one of the reason the residential portion of Area 2 met the redevelopment requirements. Mr. Baron confirmed with Mr. Waetzman that the density of the apartments of 30 units an acre as they exist presently. They also lack proper recreational needs. He spoke of conditions and lack of proper maintenance of the site. The design and plan the owner has shared for the future of the site would not help make it any better. If developed with plans, the parking would not meet the borough code. No landscaping in parking area as well. Storm water regulations would probably not meet or be compliant regarding the existing conditions. If they did change the site new storm water regulations would have to be met.

In Area 3 the Incollingo's Shopping Center with retail space sits back very far from the road, and is partially blocked by the Rite Aid, and the site is in poor condition. The condition of the site contributes to the largest number of unsold homes in the town. Safety, welfare and morals are effected by this site.

The only new development in this area has been the Rite Aid, and the layout of the site is not what you would build today. There are better retail centers that offer better locations. Traffic is not enough to support a large center as was their previously.

Mr. Waetzman stated criteria "F" refers to fire and effects of disaster and none of the areas have this in Stratford. Criteria "G" refers to urban enterprise zones which Stratford has none of these zones. Criteria "H" is the newest addition to the regulations and refers to Smart Growth.

All 3 areas are in need of redevelopment and recommend approval of all 3 areas.

Mr. Baron explained how council will take action this evening. The first act will be on "if the areas are in need of redevelopment?"

Public Portion:

Phyllis Gallone, 13 Homestead inquired to type of housing. Mr. Baron explained that the type of housing would be discussed in the second part of the presentation with the redevelopment plan. The first part was to decide if the three areas are in need of redevelopment.

Ron Ramos, 205 South White Horse Pike, South Jersey Philippine Community Center questioned about their site. Mr. Waetzman explained how some of the properties may need to be redeveloped, and some adjacent properties would be better to be part of the area. Mr. Baron explained how it would be more efficient rather than cut around some sites to improve the area.

Joan Streck of Yale Avenue asked if redevelopment meant all to be rebuilt. Mr. Waetzman stated that would be addressed in the second part as well.

Mr. Baron explained the borough has made efforts to increase the tax ratable uses in these areas and have had no interest.

Ali Macvent, President of the South Jersey Philippine Community Center stated the center serves mainly the Asian community in South Jersey and is a non-profit group, and is the only one of its kind on the east coast.

Greg Saputelli introduced himself as the attorney representing AEJ and UMDNJ Foundation which has property in Area 2. He wanted to be sure his prior objection to the proposal of need of redevelopment and the redevelopment study. He handed a joint exhibit to be included in the record and marked as AEJ-UMDNJ #1.

Fred Lederer of Whitman Avenue inquired to new revenue from the new uses. Mr. Baron responded he could not predict at this time. He stated Stratford wants to work with the current owners first to avoid condemnation. If this fails eminent domain could occur. Also liquor licenses on 2 of the 3 sits would help.

Agnes Moore, Laureba Terrace inquired to who AEJ were, and where was their site? The attorney for the group stated the owner is located in Tarrytown, NY. It was also confirmed by Council that the site was the Area #2.

Dante Romanini introduced himself as the attorney representing C.J. Lombardo who owns the apartments in Area #1. He wanted to repeat that he wants to incorporate his objections of prior meetings.

Arlene Parcaromas of South Jersey Philippine Community Center inquired to the recreational facilities located near the apartments. Mr. Baron responded the public recreational areas were not what Mr. Waetzman was referring to, Mr. Waetzman was referring to on site recreational space at the apartments. She further stated she had friends in the apartments and it was very convenient to the speed line for the tenants.

Mr. Baron stated the needs study detailed the needs study approved by the JLUB, and Council is required to take action at this time. Motion by Councilman Venuto, seconded by Councilman Santoro to approve the three areas as in need of redevelopment as was recommended by the JLUB. All Council voted aye by roll call vote.

**RESOLUTION 2009-70A**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF STRATFORD DETERMINING THE PROPERTIES DESIGNATED AS BLOCK 58, BLOCK 59, BLOCK 60, BLOCK 62, LOT 2 AND BLOCK 116, LOTS 14 AND 14.04 (AREAS 1, 2 AND 3) ON THE OFFICIAL TAX MAP OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY, TO BE AREAS IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.**

**WHEREAS**, on March 13, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“LRHL”) the Borough Council of the Borough of Stratford (“Council”) adopted a resolution which authorized the Joint Land Use Board of the Borough of Stratford (“Board”) to undertake a preliminary investigation to determine whether the properties designated as Block 58, Block 59, Block 60, Block 62, Lot 2 and Block 116, Lots 14 and 14.04 on the official tax map of the Borough of Stratford, County of Camden, State of New Jersey (“Areas 1, 2 and 3”) qualified as areas “in need of redevelopment” pursuant to the criteria set forth in Section 5 of the LRHL; and

**WHEREAS**, in connection with the investigation conducted by the Board, Stratford Borough retained the services of Larry S. Waetzman, PP, AICP, of The Waetzman Planning Group, Inc., to review Areas 1, 2 and 3 and evaluate whether Areas 1, 2 and 3, met any of the criteria set forth in Section 5 of the LRHL; and

**WHEREAS**, Mr. Waetzman prepared a report dated November 26, 2008, entitled “An Assessment of the Need for Redevelopment and a Redevelopment Plan for Areas 1, 2 and 3 – Tax Blocks 58; 59; and 60; Block 62, Lot 2; and Block 116, Lots 14 and 14.04 Borough of Stratford, Camden County, NJ”; and

**WHEREAS**, on December 8, 2008 and December 11, 2008, Mr. Waetzman made a presentation as part of the public hearing conducted by the Board in accordance with Section 6 of the LRHL regarding whether Areas 1, 2 and 3 qualified as areas “in need of redevelopment” pursuant to the criteria set forth in Section 5 of the LRHL; and

**WHEREAS**, the public was afforded the opportunity to be heard at these hearings; and

**WHEREAS**, on December 11, 2008, the Board voted to adopt the findings and recommendations of Mr. Waetzman’s report that Areas 1, 2 and 3 qualified as areas “in need of redevelopment” pursuant to certain criteria identified by Mr. Waetzman’s report; and

**WHEREAS**, on February 26, 2009, the Board adopted a resolution recommending to Council that Council determine Areas 1, 2 and 3 to be areas “in need of redevelopment”; and

**WHEREAS**, Council has considered the recommendations of the Board, as well as Mr. Waetzman’s report, the comments of the public and the criteria set forth at Section 5 of the LRHL; and

**WHEREAS**, Council is in agreement with the recommendations of the Board and Mr. Waetzman that Areas 1, 2 and 3 qualify as areas “in need of redevelopment” according to criteria “d” of Section 5 of the LRHL as identified in Mr. Waetzman’s report.

**NOW, THEREFORE, BE IT RESOLVED**, that Council determines Areas 1, 2 and 3 to be areas “in need of redevelopment” pursuant to the reasons set forth in Mr. Waetzman’s November 26, 2008 report, a copy of which is attached hereto and made a part hereof as Exhibit A; and

**BE IT FURTHER RESOLVED**, that Council directs the Borough Clerk to immediately transmit a copy of this Resolution to the Commissioner of Department Community Affairs for review.

Next Mr. Waetzman spoke of the redevelopment plan. He spoke of the affordable housing and how the borough had submitted to the State for affordable housing and is by that submission is protected by litigation. He spoke of new rental units at a lesser density than what exists now. He described of the vacating of the short paper streets off the White Horse Pike such as Wellington and Suburban Terrace to help make the lots larger. The entertainment area would include such uses as the bowling alley, restaurants and one of the liquor licenses. Mr. Baron confirmed the deficiencies that exist and that they would be satisfied with the new redevelopment plan. Mr. Baron confirmed with Mr. Waetzman that the bowling alley could stay and be upgraded and improved. Mr. Waetzman confirmed this, but stated the apartments probably would not stay. Councilman Angeli questioned the present apartments and proposed new number of units. Mr. Waetzman explained the new apartment complex to replace the old two complexes.

In Area 2 would be a mix use with commercial and retail on the first floor and the upper floors would be owner, not rented, a liquor license to this area. A total of 160 units in the upper floors with 40 units being

affordable. The affordable units would be broken down into 17 for seniors and 23 for families but the two different types in two separate buildings. All obligations of the prior round would be met. You could walk to the speedline, and transportation from Area 2. The Echelon Mall model is similar to this plan. Mr. Baron questioned if it would be viable under Smart Growth to provide a direct link to transportation to the Speedline? Mr. Waetzman responded yes it would. Mr. Baron inquired to the pad sites on White Horse Pike. Mr. Waetzman stated the plan is not detailed and is open for developers to come forth with their ideas. Mr. Baron inquired if this site was the best site for a "C" and "D" liquor license? Mr. Waetzman confirmed this site was the best for both types of licenses. Mr. Baron explained how the costs and how the developer would be responsible.

Area 3 Mr. Waetzman explained he recommended removing the center due to its design, and replace it closer to Warwick Road with smaller retail units. The retail space depended on how much residential will be on the site. His plan calls for 18 single family homes, and two buildings with two units in each of them. The exterior of all the homes would be similar. A total of four units in the two duplexes would be affordable. The units in areas 1 and 2 would help reduce the affordable units in area 3. No liquor licenses would be in area 3. All outstanding issues with the area 3 would be corrected by the new plan. The new residential units would know what type of new retail space would be built near their homes. Councilman Angeli questioned the affordable units. It was explained to him that there would be one low income unit, and one moderately low income unit, one in each building. This satisfies the requirements for affordable housing for ten years.

#### PUBLIC PORTION:

Carmella Boettcher of 1B Beverly Lane stated she did not want residential homes. Mr. Baron spoke about the site and how the redevelopment process works.

Agnes Moore of Laureba Avenue stated everyone has to take some affordable units and work together.

Rosie Simpkins of Yale Avenue asked why NJ has COAH and not other States? Mr. Baron gave information about other States.

Mrs. Pacella of the South Jersey Philippine Community Center explained that the organization is non-profit and is not required to pay real estate taxes, but does pay the real estate taxes to help Stratford. She inquired to the timeline. She explained it took them 14 years to save enough money to purchase the property, and it is the only owned facility of its type on the east coast. Mr. Baron answered her question regarding the timeline.

Councilwoman Tate inquired about a redeveloper not wanting to touch the Community Center's property? Mr. Baron confirmed her statement, and said it is a possibility a redeveloper may not want to include the Community Center site. Mr. Baron stated the redeveloper can be designated lot by lot.

Marge Koehler of Homestead Road inquired to how Mr. Waetzman established the low income units when there is no transportation near area 3. Mr. Waetzman responded the regulations have only been in existence since July 2008. The only area that meets the regulations is area 3. Mrs. Koehler asked about drainage. Mr. Waetzman responded that would be an issue addressed in the site plan application and be the responsibility of the developer. Mr. Baron explained that the new stormwater regulations are tighter when the site was constructed.

Eve Brown of Atlantic Avenue stated if the new residents qualify to buy the homes and take care of them we should have no issue.

Rosie Simpkins of Yale Avenue stated there are plenty of new units in the area that are empty.

Joan Trexler of Central Avenue commented about taxes going down.

John Riggo a Sterling High School Board Member did report that the high school is reducing their budget from last year.

Donna Tomkinson of Wellington Avenue and owner of Tomkinson's Auto explained how her business property is in the redevelopment area and how she is going to lose the site, but knows how important it is to Stratford's future. She stated it has to be done.

Public portion was closed.

Motion made by Councilman Perez, seconded by Council Angeli to adopt Ordinance 2009:09 for the Redevelopment Plan as presented by the Planner and as recommended by the JLUB. All Council voted aye by roll call vote.

**ORDINANCE 2009-09**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF STRATFORD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES DESIGNATED AS BLOCK 58, BLOCK 59, BLOCK 60, BLOCK 62, LOT 2 AND BLOCK 116, LOTS 14 AND 14.04 (AREAS 1, 2 AND 3) ON THE OFFICIAL TAX MAP OF THE BOROUGH OF STRATFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY**

**WHEREAS**, on March 12, 2009, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (hereinafter the "LRHL") the Borough Council of the Borough of Stratford adopted a resolution determining that certain properties designated as Block 58, Block 59, Block 60, Block 62, Lot 2 and Block 116, Lots 14 and 14.04 on the official Tax Map of the Borough of Stratford, County of Camden, State of New Jersey (hereinafter collectively referred to as "Areas 1, 2 and 3") qualified as areas "in need of redevelopment" pursuant to criteria "d" of Section 5 of the LRHL; and

**WHEREAS**, in furtherance of the redevelopment of Areas 1, 2 and 3, a Redevelopment Plan has been prepared by Larry S. Waetzman, PP, AICP, of The Waetzman Planning Group, Inc. (hereinafter the "Redevelopment Plan"), a copy of which is attached hereto and made a part hereof as Exhibit A; and

**WHEREAS**, pursuant to Section 7(f) of the LRHL, the Joint Land Use Board of the Borough of Stratford (hereinafter the "Board") voted to approve the Redevelopment Plan in the form in which it now appears and recommended the adoption of the same to Council; and

**WHEREAS**, the Redevelopment Plan, upon its adoption by Ordinance, is expected to facilitate the redevelopment of Areas 1, 2 and 3;

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Stratford that the Borough Council finds that the Redevelopment Plan complies with Section 7(a),(b),(c) and (d) of the LRHL; and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that the Redevelopment Plan is accepted and adopted; and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that the Borough Council shall take such further steps as are necessary to implement the Redevelopment Plan, including all of those actions articulated in Section 8 of the LRHL (which specifically includes the use of condemnation pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.); and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that the Redevelopment Plan shall supersede the provisions of the Borough's Land Use Ordinance for Areas 1, 2 and 3; and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that any prior Ordinances which are inconsistent with this Ordinance are repealed to the extent of such inconsistency; and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that if any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof; and

**BE IT FURTHER ORDAINED**, by the Borough Council of the Borough of Stratford that this Ordinance shall take effect immediately upon final passage and publication as required by law.

**BOROUGH OF STRATFORD**  
JOHN GENTLESS, MAYOR

Motion made by Councilman Venuto, seconded by Councilman Perez to adopt Ordinance 2009:10 to amend the ABC ordinance in Stratford to allow the sale of licenses. All Council voted aye by roll call vote.

**ORDINANCE 2009:10**  
**Chapter 5.12**  
**Alcoholic Beverage Licenses**  
**Chapter 5.12**  
**ALCOHOLIC BEVERAGE LICENSES**

Sections:

- 5.12.010 Club license fee.
- 5.12.020 Number of licenses restricted.
- 5.12.030 Hours of club licenses restricted.
- 5.12.040 Plenary Retail Consumption Licenses and Retail Distribution Liquor License (Issuance)
- 5.12.050 Application Requirements.
- 5.12.060 Police Investigations.
- 5.12.070 Restrictions.
- 5.12.080 License Fee.
- 5.12.090 Costs

**5.12.010 Club license fee.**

The annual fee for a club license is fixed at fifty-dollars (\$50.00).

**5.12.020 Number of club licenses restricted.**

No more than one club license shall be issued and outstanding in the Borough at any one time.

**5.12.030 Hours of club licenses restricted.**

No club licenses shall allow, permit or suffer the sale or consumption of any alcoholic beverage upon the licenses premises directly or indirectly, between the hours of two a.m. and ten a.m., said hours being computed according to prevailing time.

**5.12.040 Plenary Retail Consumption Licenses and Retail Distribution Liquor License (Issuance)**

In accordance with the provisions of *N.J.S.A. 33:1-12*, the Borough Council of the Borough of Stratford shall be empowered to issue up to two (2) Plenary Retail Consumption Licenses for the sale of alcoholic beverages for consumption on the licensed premises by the glass or other open receptacle, subject to the provisions of law and the rules and regulations promulgated by the Director of the New Jersey Division of Alcoholic Beverage Control as well as one (1) Retail Distribution Liquor License for the sale of alcoholic beverages for consumption off the licensed premises.

**5.12.050 Application Requirements.**

In addition to any application form or information required by the New Jersey Division of Alcoholic Beverage Control, any applicant for a license shall file with the Borough Clerk true copies, in duplicate, of:

- a. its Certificate of Incorporation or Articles of Partnership or other documents of formation and governance of the applicant;
- b. a list of its officers, directors or trustees with a specification of the duties of each;
- c. a list of shareholders or partners holding an interest of one percent (1%) or more, by name and address; and
- d. such other information as may be deemed necessary, relevant or appropriate.

If any changes occur in the officers and directors of the licensee at any time during the year, the applicant shall amend the license application to show the changes within ten days after their occurrence and shall furnish the changes in writing in triplicate to the Borough Clerk.

**5.12.060 Police Investigations.**

The Borough Clerk shall forward a copy of the application and the list of officers, directors, trustees, partners or principals to the Borough Chief of Police who shall investigate the application and the principals together with any other officers, directors, trustees, partners, principals and employees as may be required by the Borough Council and shall report to the Borough Council, in writing, the findings of the investigation, including any criminal record of the individuals investigated, together with any other information regarding the applicant or the application that the Chief of Police may deem relevant.

**5.12.070**

**Restrictions.**

- a. It shall be unlawful for any licensee or any officer, director, trustee, partner, principal or employee of a licensee to violate any of the provisions of Title 33 of the Revised Statutes, any regulation of the New Jersey Division of Alcoholic Beverage Control, any of the gambling laws of this state or any ordinance the Borough of Stratford or to knowingly permit the violation thereof on any premises subject to the control of the licensee.
- b. No licensee shall allow, permit or suffer the sale, service, delivery or consumption or any alcoholic beverages between the hours of 2 a.m. and 10 a.m., prevailing time. Nothing in this provision shall prohibit or restrict the use of the licensed premises for other activities at other times, provided that no alcoholic beverages are sold, served, delivered or consumed during the prohibited times. All parts of licensed premises to include parking lots, shall be cleared of all patrons between the hours of 2:30 a.m. and 7:00 a.m. prevailing time.
- c. Every licensee shall be subject to all other state statutes and Borough ordinances, including but not specifically limited to the building code, the fire prevention code, health regulations, zoning ordinances, food handling ordinances, noise control ordinances and restaurant ordinances.
- d. No Plenary Retail Consumption or Retail Distribution License shall be issued, renewed or transferred for or to any location or building where the use is not permitted by the specific terms of the zoning ordinance of the Borough of Stratford.
- e. No licensee or employee shall sell, serve, deliver or allow, permit or suffer the service or delivery of any alcoholic beverage, directly or indirectly, to any person under the minimum age provided by law or anyone under the influence of alcoholic beverages or allow, permit or suffer the consumption of alcoholic beverages by any such persons upon the licensed premises.
- f. Every license issued pursuant to the Act shall be exposed to public view in a conspicuous place in the licensed premises, and any omission so to do shall be presumptive evidence that the place where alcoholic beverages are being sold is unlicensed.
- g. No licensee shall sell, offer for sale, or allow to be consumed any alcoholic beverages upon any outside location upon the premises without written approval of the Borough of Stratford. Outside locations shall include parking lots, decks, screen rooms, patios or any other location not confined by 4 walls which are completely or mostly sound proof as determined by the local construction official.
- h. Any music, talking or other noise which may emit from the premises, or property and is unreasonably audible to any person outside or off the licensee location shall constitute a violation of this chapter.
- i. All employees, agents, subcontractors persons or patrons upon the premises shall be fully clad and shall not be naked or exposed in any manner whatsoever.
- j. Members of the Stratford Police Department are empowered to temporarily close any licensed premises pending a public emergency or investigation of any crime incident upon the premises for a period of up to 3 hours or longer if deemed necessary to complete the investigation. Determinations as to necessity to close any establishment are vested solely with the Officer in Charge of the Police Department and are not appealable.
- k. Any licensee, employee or other agent thereof who violates any portion or section of this code, shall in addition to those penalties established under any administrative, criminal or regulatory code, be subject to a \$1250.00 fine for each separate violation and shall in addition be subject to up to 90 days in jail for each separate offense and violation.

**5.12.080**

**License Fee.**

The annual license fee for each license shall be Two Thousand Five Hundred Dollars (\$2,500.00), which shall be payable upon the filing of the application for the license or for the renewal thereof.

**5.12.090**

**Costs.**

The applicant for a license shall be responsible for and shall reimburse the Borough of Stratford for all direct charges paid by the Borough of Stratford to state or federal governmental agencies in connection with the application or the investigation.

ADJOURNMENT: Motion made by Councilman S. Venuto, seconded by Councilman M. Perez to adjourn the meeting with all ayes on the vote, the meeting was adjourned.

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John D. Keenan, Jr. Borough Clerk