

**STRATFORD BOROUGH COUNCIL
AGENDA MEETING
THURSDAY, NOVEMBER 05, 2009
7:00 P.M.**

ROLL CALL:

MAYOR JOHN GENTLESS
BEN ANGELI, COUNCIL PRESIDENT
MICHAEL SANTORO, COUNCILMAN
HOLLY TATE, COUNCILWOMAN
WILLIAM GROVER, COUNCILMAN
MIKE PEREZ, COUNCILMAN
JEFFREY BARON, BOROUGH SOLICITOR
JOHN D. KEENAN, JR., BOROUGH CLERK
RONALD MORELLO, CHIEF OF POLICE
ABSENT
STEVE VENUTO, COUNCILMAN
WILLIAM GROVER, COUNCILMAN – left after Report #6

POLICE
REPORT:

Chief Ron Morello read his report for the October, 2009 as follows:
-Oct. 3 Officer Benkhe and Sgt. Gagliardi was called to the hospital do to an unruly patient.
-Oct. 12 deer strike Laurel and Warwick Roads – hit
-Nine (9) car burglaries and one resident caught
-Oct. 17 home burglaries - taking jewelry without breaking into home
-Oct 22 & 29 Woodmere Apartment burglaries
-Car jacking and speed chase from White Horse Pike to Philadelphia
-Student from Laurel Springs caught selling drugs and marijuana in grade school and high school
-Hillcrest Road sudden death
PEOSHA inspection- repairs made
-Office Mike Meyers injured and out on workman's comp.
-DWI Task force with 15 DWI arrests in one month.
-Recommended Judge Morelli for re-appointment, answers night calls and very good.

REPORTS:

- Councilman M. Santoro reported that the ambulance has been invited by VIC Ambulance Manufacturers to take our new rig to Atlantic City to the NJ League convention for display.
- Councilman M. Perez reported the leaf machines were out and no chipping

PUBLIC
PORTION:

-Myles Sidenberg, Dwane Morris of C. J. Lombardo were present. Mr. Sidenberg read a letter dated 11/05/09 into record, place objection on record for future redevelopment of their property. Over \$100,000 fees and costs over the time since the Redevelopment process began, and client unable to take advantage of low interest loans since the property was part of a Redevelopment area. No issue vacating the existing plan but objects if Redevelopment is to begin again.
-Matt Green – Obermyer AEJ represents Foundation of UMDNJ objects to any action to move forward to Redevelopment of clients
-Solicitor Jeffrey I. Baron reminded attorneys Stratford has no condemnation action pending, nor never gave notice of condemnation which has been noted or claimed by both attorneys.
-Matt Green read letter dated November 5, 2009 into record.
-Donna Tomkinson of Wellington Avenue and 503 S. White Horse Pike- your clients are slums and are not residents. The conditions are horrible.

REPORT #1: REDEVELOPMENT

Resolution invalidating the Redevelopment Study was adopted last month. Ordinance 2009:27 invalidating the Redevelopment Plan is set for Public Hearing November 05, 2009 at 7PM. There are three other resolutions which have been tabled to the Agenda Meeting as well. There is one which will authorize the JLUB to investigate the certain areas to find if they are in need of redevelopment; and two representing the funding for named Special Legal Counsel and Planner.
Informational

Ord.2009:27 Ordinance 2009:27 – Invalidating the Redevelopment Plan
Clerk presented proof of publication. On motion of Councilman B. Angeli, seconded by Councilman W. Grover to open the public hearing to the public.
Incorporate the first two (2) attorneys comments and letters into this hearing. Jeffrey Baron explained the Ordinance. Mayor John Gentless closed the public portion. Councilwoman H. Tate had questions. Jeff Barron corrected Councilwoman Tate that the Joint Land Use Board had no authority to do anything unless council decides. Councilwoman Tate questions if the Joint Land Use Board has a study and plan. Jeff Barron confirmed there is no study and plan at any level. Motion to finally adopt was made by Councilman M. Perez, seconded by Councilwoman H. Tate with all ayes on the roll call vote as follows:

Councilman M. Perez	yes	Councilwoman H. Tate	yes
Councilman M. Santoro	yes	Councilman B. Angeli	yes
Councilman W. Grover	absent	Councilman S. Venuto	absent

MOTION CARRIED

ORDINANCE 2009-27

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF STRATFORD INVALIDATING THE 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 (hereinafter “Council”) adopted Resolution 2009-70, which determined 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 was prepared by Larry S. Waetzman, PP, AICP, of The Waetzman Planning Group, Inc. (hereinafter the “Redevelopment Plan”); and

WHEREAS, pursuant to Section 7(f) of the LRHL, the Joint Land Use Board of the Borough of Stratford (hereinafter the “JLUB”) voted to approve the Redevelopment Plan and recommended the adoption of the same to Council; and

WHEREAS, Council subsequently adopted Ordinance 2009-09, which ordained that Council accepted and adopted the Redevelopment Plan to facilitate the redevelopment of Areas 1, 2 and 3; and

WHEREAS, certain parties having ownership and leasehold interests in various properties located within Areas 1, 2 and 3 subsequently initiated litigation in the Superior Court of New Jersey to challenge the actions of Council and the JLUB in designating Areas 1, 2 and 3 as areas “in need of redevelopment” and in adopting the Redevelopment Plan for the redevelopment of Areas 1, 2 and 3; and

WHEREAS, without admitting or determining any error, mistake, liability or wrongdoing whatsoever, and to avoid to the uncertainties, expense and delay inherent in

litigation, Council has determined it to be in the best interest of the Borough of Stratford to invalidate the Redevelopment Plan as well as the “in need of redevelopment” designations for Areas 1, 2 and 3 so as to moot the pending litigation and to potentially commence the redevelopment process anew;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Stratford that the Redevelopment Plan previously adopted by Council with Ordinance 2009-09, as well as any and all prior Redevelopment Plans for Areas 1, 2 and 3, regardless if actually adopted or otherwise, are hereby deemed to be null, void, invalidated, set aside and of no effect; and

BE IT FURTHER ORDAINED, by the Borough Council of the Borough of Stratford that any prior Ordinances which are inconsistent with this Ordinance, including but not necessarily limited to Ordinance 2009-09, 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

This Ordinance was introduced on October 19, 2009 by Borough Council, and Public Hearing on November 05, 2009 with final adoption on same date.

John D. Keenan, Jr., R.M.C.

LaMartinique application to JLUB on October 05, 2009 was approved.

REPORT #2: SPECIAL EVENTS ORDINANCE
 By request of the Police Chief an ordinance has been presented to the Solicitor for review to create as part of our Code Book a process for groups to follow prior to holding a Special Event. There would be certain documents and information required to be filed with an application to the Borough Clerk for an event. There would be an investigation by certain related borough departments prior to approval by Borough Council. There would be no fee for the license, but an escrow account would have to be set up to cover borough related expenses for the event such as police and public works. This ordinance will be ready for introduction at the Regular Meeting November 10, 2009.

Informational

REPORT #3: PARK COMMISSION MEMBERSHIP ORDINANCE
 Ordinance 2009:25 to amend the Park Commission membership to 7 members rather than 5 members, was introduced last month with Public Hearing set for November 10, 2009.

Informational

REPORT # 4: BOND ORDINANCE AMENDMENT
 Ordinance 2009:26 to amend the Bond Ordinance to allow for the 2009 Fire Capital Equipment purchases will have a Public Hearing on November 10, 2009.

Informational

REPORT #5: COUNTY CDBG REHAB GRANT
 Homeowner at 30 Longwood Drive has been deemed eligible by the County Community Development Office for a home rehab grant. These grants require the local Governing Body to adopt a resolution of approval in order to continue the processing of the grant to the homeowner.

Resolution on for *Tuesdays meeting*.

REPORT #6: SEWER ROOT CONTROL BID
 The bids have been received for sewer root control for 2009. The areas of the sewer lines hardest hit by tree roots are treated over a three year cycle. This year 4,825 linear feet of line has to be treated with the chemical foam. Of the two bids received, the lowest is Municipal Sales from NY in the amount of \$1.20 per linear foot with a total of \$5,802.00. This is the company who has preformed the service in prior years. A resolution awarding this bid will be ready for the Regular Meeting November 10, 2009.
Informational

REPORT #7: JUDGE APPOINTMENT
 The three year term of the current judge expires in November. At the Regular Meeting a resolution for appointment for a three year term will be ready.
 On motion of Councilwoman H. Tate, seconded by Councilman M. Perez with all ayes ayes on the vote.

RESOLUTION 2009:194

BE IT RESOLVED by Mayor and Members of Stratford Borough Council to hereby appoint:

JUDGE JOHN MORELLI

as Judge of the Municipal Court of the Borough of Stratford for a term of three (3) years, BE IT FURTHER RESOLVED, said term shall commence on November 14, 2009 and shall expire on November 13, 2012.

I, John D. Keenan, Jr., Borough Clerk, do hereby certify the above noted resolution was adopted by the Governing Body at an Agenda Meeting held on the 05th day of November, 2009.

John D. Keenan, Jr. RMC, Borough Clerk

REPORT #8: PROCLAMATION – World Diabetes Day November 14, 2009
 The Juvenile Diabetes Research Foundation has asked Stratford to have a proclamation done for World Diabetes Day which is November 14, 2009. Proclamation will be ready for the Regular Meeting.
On for Tuesday nights meeting.

Res.2009:195 Resolution 2009:195 – Authorize contract for Solicitor Jeffrey I. Baron to defend suite for ebay car sale.
 On motion of Councilman B. Angeli, seconded by Councilman M. Perez with all ayes on the roll call vote as follows:

Councilman B. Angeli	yes	Councilman M. Perez	yes
Councilwoman H. Tate	yes	Councilman M. Santoro	yes
Councilman W. Grover	absent	Councilman S. Venuto	absent

MOTION CARRIED

RESOLUTION 2009:195

Res.2009:196 Resolution 2009:196 - Larsen
 On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the roll call vote as follows:

Councilman M. Santoro	yes	Councilwoman H. Tate	yes
Councilman W. Grover	absent	Councilman B. Angeli	yes
Councilman M. Perez	yes	Councilman S. Venuto	absent

MOTION CARRIED

RESOLUTION 2009:196

Res.2009:197 Resolution 2009:197 –Rule 1:4-7
 On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the roll call vote as follows:

Councilman M. Santoro	yes	Councilwoman H. Tate	yes
Councilman W. Grover	absent	Councilman B. Angeli	yes

Councilman M. Perez yes Councilman S. Venuto absent

MOTION CARRIED

RESOLUTION 2009:197

GOOD &
WELFARE:

-Pat Gilligan of Webster Avenue thanked those council members and welcomed the newly elected officials. He inquired about emails he received this past weekend and wanted to know of the Borough's email blast list. The clerk confirmed the email list is a public record but no one has requested the list.

Res.2009:198

Resolution 2009:198 – Executive Session

On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote to go into executive session.

RESOLUTION 2009:198

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

WHEREAS, the public body is required to adopt this resolution by a vote of three quarters of the members present,

NOW, THEREFORE, BE IT RESOLVED by the Stratford Borough Council as follows:

1. The meeting is required in order to deal with matters concerning personnel, more specifically top discuss:

PERSONNEL/LITIGATIONS

2. This meeting will be limited to the discussions with respect to the aforesaid matters.
3. Upon following adoption of this resolution for the purposes aforesaid, Borough Council will meet in closed session.
4. Notice of this meeting was posted on the bulletin board.
5. Generally speaking, it will be possible to disclose to the public results of these discussions as noted:

TO DISCUSS PERSONNEL ISSUES

I, John D. Keenan, Jr., Clerk of the Borough of Stratford, do hereby certify the foregoing resolution was adopted by Mayor and Council at their Council Meeting at 7:00 PM held on the 05th day of November, 2009.

John D. Keenan, Jr. RMC

Borough Clerk

On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote to come out of Executive Session.

ADJOURNMENT:

On motion of Councilman M. Santoro, seconded by Councilwoman H. Tate with all ayes on the vote, the meeting was adjourned.

John D. Keenan, Jr., RMC