

**BOROUGH OF BARRINGTON
MINUTES OF MONTHLY COUNCIL MEETING
APRIL 9, 2013 at 6:00 P.M.
COUNCIL ROOM AT MUNICIPAL BUILDING**

A regular monthly Council Meeting of the Borough of Barrington was held on April 9, 2013, at 6:00 p.m. in the Council Room at the Barrington Municipal Building, with Mayor Robert Klaus presiding.

CALL TO ORDER: Mayor Klaus called the meeting to order and made the following statement: "This meeting is held in compliance with Chapter 231 of the open public meetings act of 1975 and appropriate notice has been given. Notice of the meeting was filed with the Retrospect and Courier Post and also in the main office of the Borough Clerk where notices are currently kept. He then led the salute to the flag of our country and thanked all for coming out tonight.

ROLL CALL: The Municipal Clerk called roll of Council and reports the following:

Ludwig	- present	Popiolek	- present
Nicholson	- present	Bergeron	- present
Robenolt	- present	DelVecchio	- present

Also on dais: Municipal Clerk Terry Shannon and Borough Solicitor Timothy Higgins, Esq.

APPROVAL OF MINUTES: Mayor Klaus noted that Council was provided with a copy of the printed minutes of the February 5, 2013, caucus meeting and the regular council meeting for March 12, 2013, and asked if there were any corrections.

Seeing no corrections, on a Motion by POPIOLEK and ROBENOLT the minutes of the February 5, 2013 caucus meeting and the regular council meeting of March 12, 2013, were approved as submitted by all members of Council present.

MOTION IS CARRIED

COMMITTEE REPORTS: The Municipal Clerk read a summary of the March 2013 monthly reports as submitted by Chief Joseph H. Eisenhardt, Jr. for Police; Chief John Sutch for the Fire Company; Chief Barbara Willson for Ambulance/EMS; Superintendent Michael J. Ciocco for Department of Public Works; Fire Official Stephen DePierri for Regional Fire Alliance; Karen Eckert Court Administrator for Court; Tax Collector Kristy Emmett for Tax and Sewer Collections.

On a Motion by BERGERON and POPIOLEK the monthly reports for March, 2013, were approved as submitted by all members of Council present.

MOTION IS CARRIED

OLD BUSINESS: ORDINANCES FOR SECOND READING, PUBLIC HEARING AND ADOPTION: The Municipal Clerk stated that the following ordinances are for public hearing and adoption: Due to an error at the February, 2013, council meeting there was not a public hearing on the ordinances so the public hearing was advertised is being held at this meeting:

ORDINANCE NO. 993: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 99, RENTAL PROPERTIES, IN THE CODE OF THE BOROUGH OF BARRINGTON.

ORDINANCE 994: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING CHAPTER 53, CONSTRUCTION CODE ENFORCING AGENCY, IN THE CODE OF THE BOROUGH OF BARRINGTON.

ORDINANCE NO. 995: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF BARRINGTON FROM VERNON DUCKREY, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION.

ORDINANCE NO. 996: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF BARRINGTON FROM SHIV ESTATES LLC, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION.

ORDINANCE 997: ADOPTING THE AMENDMENT TO ORDINANCE NO. 753, REGARDING THE BARRINGTON ECONOMIC REDEVELOPMENT - PHASE I AND II PROJECT AREA REDEVELOPMENT PLAN.

On a Motion by POPIOLEK and DELVECCHIO the ordinances were approved with the following poll vote:

Ludwig	- yes	Popiolek	- yes
Nicholson	- yes	Bergeron	- yes
Robenolt	- yes	DelVecchio	- yes

On a Motion by DELVECCHIO and NICHOLSON the public hearing on the above Ordinance was opened.

DAN SCHUSTER, 5 Alyse Ct., asked if the redevelopment ordinances were for the Harvey's project or the White Horse Pike project. Councilman Popiolek and the Municipal Clerk Terry Shannon both advised they are for the White Horse Pike project.

Seeing no further comments from the public, on a Motion by NICHOLSON and ROBENOLT the public hearing on the above Ordinance was closed.

On a Motion by POPIOLEK and BERGERON the second reading of the ordinance was approved with the following poll vote:

Ludwig	- yes	Popiolek	- yes
Nicholson	- yes	Bergeron	- yes
Robenolt	- yes	DelVecchio	- yes

ORDINANCES WERE ADOPTED

NEW BUSINESS: ORDINANCES FOR INTRODUCTION ON FIRST READING: The Municipal Clerk stated that the following ordinances are for introduction on first reading:

ORDINANCE NO. 999: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

ORDINANCE NO. 1000: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF BARRINGTON FROM 111 LLC, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION.

ORDINANCE NO. 1001: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND

STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF BARRINGTON A&B INSURANCE DAMAGE RESTORATION INC., AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION.

ORDINANCE NO. 1002: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF BARRINGTON FROM SOUTHOAKS LLC, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION.

ORDINANCE NO. 1003: ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 59, FIRE PREVENTION, IN THE CODE OF THE BOROUGH OF BARRINGTON.

On a Motion by DELVECCHIO and LUDWIG the Ordinances as read were approved with the following poll vote:

Ludwig	- yes	Popiolek	- yes
Nicholson	- yes	Bergeron	- yes
Robenolt	- yes	DelVecchio	- yes

MOTION IS CARRIED

Public hearing on above ordinances will be held at our May 14 council meeting and after proper legal advertisement.

MIKE CIOCCO, Supt. of Public Works said he was looking for approval of a resolution for submission of a 2012 Recycle Tonnage Grant Application and did not see it in the consent agenda. Municipal Clerk Shannon advised that so everyone has a chance to look at the resolution, it will be approved at the special council meeting to be held on Saturday, April 13th.

NEW BUSINESS: RESOLUTIONS: The Municipal Clerk advised that she would read the following Resolutions by title, one after another, and Council will have the opportunity to vote as a Consent Agenda at the end of the reading:

RESOLUTION NO. 4-2013-40: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS.

RESOLUTION NO. 4-2013-41: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO UTILIZE AVERAGE TAX COLLECTION RATE FOR CALCULATION OF RESERVE FOR UNCOLLECTED TAXES APPROPRIATION IN THE 2013 MUNICIPAL BUDGET.

RESOLUTION NO. 4-2013-42: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A DIRECT INSTALL AGREEMENT WITH PSE&G FOR LIGHTING UPGRADES AT THE VFW SENIOR CENTER.

RESOLUTION NO. 4-2013-43: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING THE PERSONNEL POLICY PERTAINING TO OPT-OUT OF HEALTH BENEFITS.

RESOLUTION NO. 4-2013-44: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY SUPPORTING IDLE FREE NEW JERSEY.

RESOLUTION NO. 4-2013-45: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY YEAR 35 - FY 2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT.

RESOLUTION NO. 4-2013-46: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY RELEASING THE HIDDEN PONDS PERFORMANCE BOND AND REPLACING IT WITH A MAINTENANCE BOND.

RESOLUTION NO. 4-2013-47: RESOLUTION OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE APRIL BILL LIST IN THE AMOUNT OF \$ 659,369.97.

On a Motion by NICHOLSON and LUDWIG the Resolutions as read were approved with the following poll vote:

Ludwig	- yes	Popiolek	- yes
Nicholson	- yes	Bergeron	- yes
Robenolt	- yes	DelVecchio	- yes

MOTION IS CARRIED

COMMENTS FROM MEMBERS OF THE GOVERNING BODY:

COUNCIL PRESIDENT POPIOLEK – happy spring to all. With reference to resolution for emergency appropriations there is no fiscal emergency. Our budget at Reorganization in January is only good for three months and this covers until the formal budget is approved. We will introduce in May and final reading and adoption in June. Budget looks good despite several major factors including the total devaluation of the town due to tax appeals. The town value is adjusted. We can't increase more than 2% from year to year. We are in a hole of \$80,000. Due to economic development initiatives the redevelopment money went into the budget as revenue, about \$100,000. Final comb over of the budget this Saturday afternoon will go over line by line to see what can be cut without compromising services to our residents. Please attend if you would like. We are continuing with redevelopment of the White Horse Pike. Two ordinances are to continue the condemnation process for a limited amount of property for a right hand turn lane as required by the Department of Transportation. There is no tax money being used for this, the cost is to the redeveloper who will reimburse the borough for this, including legal fees. Congratulations to Girls Softball on opening day, heard it was wonderful even though I could not attend. I did attend Little League opening day and it was very nice. Thanks Rich for the tribute to the Ray Kennedy family. I have known them for years and they really appreciated the tribute. Thank you.

COUNCILMAN ROBENOLT – continuing work with Green Team to get state certification; reaching out to schools to do projects with them. The Woodland School Green Team is having a basket auction tomorrow night if you can attend and support them. We are continuing shared services with other towns and have meetings coming up. We will let you know how the meetings go. Please keep the Roback family and the Taylor family in your prayers; we lost two past members last week, one was a past chief. Thank you.

COUNCILWOMAN NICHOLSON – Earth Day is April 20; to participate please contact the Mayor's Office, spots are available; the Councilwoman is working with a Camden County group to cleanup at the railroad tracks. Barrington Day is May 18 and we expect large crowds. A 24-person game truck has been booked; it is the largest in our state. Spoke with the P.R. firm handling the Shoprite in Lawnside. They will participate in Barrington Day and do giveaways; will also make a donation to Girls Softball and Little League. Meeting with owner Dave Zallie in next few weeks to see what they will give away at Barrington Day. Enjoy the beautiful weather.

COUNCILMAN LUDWIG – recognized Denise Moules, CFO, for her work on the budget, it is a difficult job, good job Denise. He said state cut backs to municipalities are part of the problem. Enjoy the weather.

COUNCILWOMAN BERGERON – thanks all for coming out today. Rabies Clinic April 27, 9-11 am. Bring your dog or cat for a free shot, license is available when you come so bring your checkbook. May 17 is school Government Day in Barrington. Patti and I are working with the school. 8th graders spend the day with us. State or county representative comes to discuss what they do and we discuss what we do. They go to police, fire and DPW to spend time then they do report for school. Hopefully we can get government workers out of some of the kids. Our Firefighters have gotten volunteer explorers out of this day; it is our goal! Council meeting will be held that day, not sure of time. May meeting will be held at the school, it is a Friday. This will be discussed in case enough people cannot attend.

COUNCILMAN DELVECCHIO – apologized for not being able to attend opening days; was out of state. Congratulations to all!

MAYOR KLAUS – congratulations to both softball and baseball on their opening day ceremonies. I appreciate Little League tribute to Ray Kennedy and Fred Govito, it was very nice. Girls Softball opening day was chilly but turned out very well. This Tuesday morning is groundbreaking for Shop Rite of Lawnside; they hope to open in mid-July.

PUBLIC PORTION: Mayor Klaus advised that if you have a comment or question to come forward and State your name and address for the record. Public comment is limited to five minutes per person.

On a motion by NICHOLSON and DELVECCHIO the public portion of the meeting was opened.

The following residents from the Hidden Ponds Development questioned Mayor & Council about the homeowners' association, residents' responsibility for the pump station and what progress has been made speaking with the builder. The Hidden Ponds Development residents did receive a letter last week from the builder's lawyer for them to take over the pump station and set up the homeowners' association. They have to respond by April 23.

Kevin Shell, 3 Lauren Lane; Dan Schuster, 5 Alyse Court; Sheila Buckley, 3 Alyse Court; Sue Michielli, 4 Ashley Court; Greg Martinac, 6 Ashley Court; Harry Buscher, 2 Alyse Court; Rich King, 6 Elyse Court; Kathy McDonald, 2 Ashley Court

Solicitor Timothy Higgins announced that the builder will be installing new pumps. Mayor Klaus, Councilpersons Popiolek, DelVecchio, Ludwig and Nicholson were involved in the discussion. The residents asked if these are the same pumps that were installed originally and wanted to know why they were changed in the first place. Higgins said we had no involvement in the replacement of the pumps in the first place. Mike Ciocco, Superintendent of Public Works, answered questions about the pump and confirmed that the new one to be installed is an upgraded version of the original pump and is sufficient to handle the load. Solicitor Timothy Higgins will contact the builder's lawyer and ask him not to hold the residents to the date of April 23 for a response to the letter. The residents asked who is supposed to respond when the alarm goes off. Higgins responded that still needs to be resolved and we are waiting for a proposal from Runnemedede. There was additional back and forth discussion regarding the homeowners association, the approval of the pumps and why the residents feel they are being treated differently than other residents. It was finally determined that Mayor & Council will meet with the Hidden Ponds residents for a separate meeting to discuss their concerns; a Tuesday seems to be the best weekday for the meeting; the residents will be emailed a date and time.

BARBARA NEHMAD, 3406 Reamer Drive, came to discuss problems with sanitary issues in her apartment and being upset with outcome of her apartment inspection, the rugs in her apartment and her discontent with the alleged conduct of Code Official John Szczerbinski. She said he intimidated her and was rude and does not want to deal with him anymore. She said she reported him to Terry Shannon who never called her back. She does not know how to play the politics and she thinks the public should

be treated with respect. Councilman Ludwig said she “did good”. Ms. Nehmad said her feet turn black when she walks on her carpet. Mayor Klaus said we have turned that over to the County Health Department. Nehmad said they have already been there and said the carpet is fine. Councilwoman Nicholson apologized that she was treated this way and Councilman Ludwig said no one should be afraid to come into this building for help. Councilman DelVecchio said he heard about this situation just before the meeting and he was going to pass on to Councilwoman Nicholson. Councilwoman Nicholson said she is the director of constituent services and she apologized for the way she was treated and will speak with Ms. Nehmad after the meeting.

KATHY MCDONALD, 2 Ashley Court, expressed past difficulties with the code official saying she would sue John if she had the money. Other realtors will not list in town due to his behavior. She handles 35-40 homes per year in Barrington and it has been a nightmare dealing with him. He is abusive to her, her son and her daughter. When people leave, they say they are never coming back to Barrington. People have written to the Department of Consumer Affairs and to senators. There are no results. She does not know why we have a certificate of occupancy like we do. No other town has such stringent regulations. Councilman Ludwig said no one should ever be scared to come into our offices for help.

SUE MICHIELLI, 4 Ashley Court, said she was abused by him also and one time the code official threw books at her when she came in for permits saying “look it up yourself”.

With no further comments from the public on a motion by BERGERON and POPIOLEK the public portion of the meeting was closed.

MOTION IS CARRIED

Council President Popiolek offered apology to residents saying we are all neighbors and this is an emotional subject, I would never be condescending to anyone in a malicious fact. Councilman DelVecchio apologized to Ms. Nehmad as he had just received notice about her problem from Sen. Norcross’s office.

With no further business to be transacted, on a motion by POPIOLEK and ROBENOLT the meeting was adjourned at 7:15 pm.

ATTEST: _____
Terry Shannon, Municipal Clerk