

**TOWNSHIP COMMITTEE MEETING – MARCH 19, 2007**

7:30 PM MUNICIPAL BUILDING 770 COOPERTOWN ROAD, DELANCO NJ

**ROLL CALL:** Devinney, present; Fitzpatrick, present; Hinkle, present; Templeton, present; Ouellette, present

**Also Present:** Twp. Administrator, Mr. Steven Corcoran; Twp. Solicitor, Mr. Douglas Heinold; Municipal Clerk, Mrs. Janice Lohr; Deputy Municipal Clerk, Karen Zimmermann; Supt. of Public Works, Mr. John Fenimore

**FLAG SALUTE**

Mayor Ouellette led the flag salute.

**SUNSHINE STATEMENT**

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner. Written notice has been mailed to the Burlington County Times and the Courier Post and published in the January 2, 2007 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

**MOMENT OF SILENCE**

Mayor Ouellette asked for a moment of silence for Bob Bellan and Cliff Taylor.

**ORDINANCE 2007-5**

**CALENDAR YEAR 2007 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**\*2<sup>ND</sup> READING BY TITLE ONLY AND PUBLIC HEARING**

**HEARING OPEN TO THE PUBLIC**

Mayor Ouellette opened the hearing to the public.

1. Jack Hoefle, 44 Pennington Court, asked the Township Solicitor to explain Ordinance 2007-5. Mr. Heinold stated that the statute has a cap and every municipality passes an ordinance to bump the cap up an additional percent. This allows the municipality the flexibility on their cap.
2. Steve Mastalesz, 97 Shipps Way, stated that there was a slight increase in State money this year and asked how much the Township would receive. Mr. Mastalesz stated that the Township started out last year with a million and a half surplus and asked how much was left of the original amount.
3. Frank Hess, 11 Wolverton Place, stated that it seems to be, “that there is no control by yourselves and the Township Administrator on expenses.” Mr. Hess stated that Delanco’s taxes are disproportionate to other municipalities that are much larger than Delanco.

Mayor Ouellette thanked Mr. Hess for his comments and stated that the Township Committee will proceed with the budget work sessions and review the school budget.

**HEARING CLOSED TO THE PUBLIC**

Since there were no further comments or questions from the public, Mayor Ouellette

closed the hearing to the public.

Motion by Joan Hinkle, seconded by Ed Devinney to adopt Ordinance 2007-5

**Roll Call:** Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

**ORDINANCE 2007-5  
CALENDAR YEAR 2007**

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Delanco in the County of Burlington finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$30,234.50 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Delanco, in the County of Burlington a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Township of Delanco shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$105,820.75 and that the CY 2007 municipal budget for the Township of Delanco be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that *is* not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**CONSENT AGENDA ITEMS:**

("Consent Agenda items are considered to be routine and will be enacted with a single motion. Any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.")

**ORDINANCE 2007-6**  
**AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF THE**  
**TOWNSHIP OF DELANCO ENTITLED "LAND USE PROCEDURES"**  
**\*1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR**  
**APRIL 2, 2007**

**RESOLUTION 2007-61**  
**RESOLUTION AUTHORIZING INCREASE IN THE AMOUNT OF THE**  
**MUNICIPAL CLERK'S PETTY CASH FUND**

BE IT RESOLVED by the Township Committee of the Township of Delanco that the amount of the Municipal Clerk's Petty Cash Fund is hereby increased to \$500.00

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the township Treasurer.

**RESOLUTION 2007-62**  
**REFUND OF 2007 TAX OVERPAYMENT**

WHEREAS, the Tax Collector has determined that the following has overpaid 2007 taxes; and

WHEREAS, the following has requested that a refund be made to them.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco that the Treasurer be authorized to send a check to the following:

Block 500.01 Countrywide Tax Service Corp  
 Lot 1C623B 1757 Tapo Canyon Rd.  
 23 Turtle Court Simi Valley CA 93063  
 Amount: 2,082.60

**RESOLUTION 2007-63**  
**CANCEL MAY 1, 2006 THROUGH DECEMBER 31, 2006 TAXES FOR**  
**VETERAN TOTAL TAX EXEMPTION**

BE IT RESOLVED that the Tax Collector has determined that the following has qualified for a Veteran's total tax exemption from May 1, 2006 through December 31, 2006 in the amount of \$2,260.40.

<u>Block</u>	<u>Lot</u>	<u>Name</u>
1402	7	Leo & Wilda Ethier 409 Burlington Ave. Delanco, NJ 08075

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the township Treasurer and the Township Tax Collector.

**PAYMENT OF BILLS**

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$237,701.34
PAYROLL	55,218.63
CAPITAL	34,000.00
TRUST	18,421.81

**GENERAL ACCOUNT – MARCH 19, 2007**

23283	BIRDSALL ENGINEERING INC	526.75
23284	BURLINGTON COUNTY TIMES	227.44
23285	BELMONT & CRYSTAL SPRINGS	32.38

23286	COMMERCE BANK	36,797.50
23287	COURIER POST	342.27
23288	COUNTRYWIDE SERVICES CORP	2,082.60
23289	LEO ETHIER	2,260.40
23290	FITZGERALD & CO	20,095.00
23291	FORCE FABRICATIONS	802.50
23292	GALLS INC	270.21
23293	GOODYEAR TIRE DISTRIBUTION CTR	347.72
23294	GE CAPITAL	339.00
23295	GLOCK PROFESSIONAL INC	150.00
23296	IMPACT COMMUNICATIONS INC	1,140.00
23297	INTERNAL AFFAIRS ASSOCIATION	50.00
23298	JOHNNY C S TRUCK TIRE SERVICE	400.00
23299	S J BRADDOCK AGENCY	2,779.50
23300	MICHELMAN & BRICKER PC	4,040.00
23301	LENORE MORAIS	75.00
23302	MILL RUN CLEANERS & TAILORS	155.00
23303	NJ AMERICAN WATER CO	156.29
23304	NEXTEL COMMUNICATIONS	771.97
23305	PEDRONI FUEL CO	3,939.77
23306	PETTY CASH-ADMINISTRATIVE	266.41
23307	PSE&G	11,644.08
23308	PAYROLL ACCOUNT	122,248.80
23309	PAULS TREE SERVICE LLC	3,425.00
23310	SAFETY AUTO REPAIR	1,090.38
23311	SOUTH JERSEY SANITATION	10,454.75
23312	TERMINIX INTERNATIONAL	113.00
23313	TRAP ROCK INDUSTRIES INC	69.30
23314	TREASURER COUNTY OF BURLINGTON	8,443.20
23315	TEMPROL CORP	283.08
23316	TREASURER, STATE OF NJ	75.00
23317	VERIZON WIRELESS	250.03
23318	W B MASON CO INC	174.32
23319	XTEL COMMUNICATIONS INC	1,360.86
23320	KAREN ZIMMERMANN	21.83
<b>TOTAL</b>		<b>\$237,701.34</b>

**CAPITAL**

1507	ROBERT T WINZINGER INC	34,000.00
<b>TOTAL</b>		<b>\$34,000.00</b>

**TRUST**

1878	DILWORTH PAXSON LLP	1,473.81
1879	TAYLOR DESIGN GROUP INC	1,049.25
1880	BIRDSALL ENGINEERING INC	15,898.75
<b>TOTAL</b>		<b>\$18,421.81</b>

**APPROVAL OF BUSINESS LICENSES – 2007-1 THROUGH 2007-20**

## **APPROVAL OF DEPARTMENT REPORTS**

### **APPROVAL OF CONSENT AGENDA**

Motion by Kate Fitzpatrick, seconded by Joan Hinkle to approve the consent agenda.

**Roll Call:** Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

### **CORRESPONDENCE – Municipal Clerk – Mrs. Janice Lohr**

- received letter from the DEP regarding Delanco’s Department of Transportation Clean Communities Program Award for our 2007 allocation in the amount of \$4,000.00.
- received a letter from Anne Brocco and Rosanne Willitts from 8 Russ Farm Way regarding their concerns about the Mansion

Mayor Ouellette announced that there will be two portions of the meeting tonight. The first part will be for any business other than the Mansion. The second part will be a presentation on the Mansion and a question and answer period.

### **MEETING OPEN TO THE PUBLIC**

Mayor Ouellette opened the meeting to the public

1. Karen Kilcoyne, 2930 Goucher Avenue, stated that the Beverly Bee is very popular with Delanco residents and gets read every month by everybody. Mrs. Kilcoyne stated that the Beverly Bee provides up to three pages per month for publication to Delanco. Mrs. Kilcoyne asked why we don’t have issue oriented information like other towns.
2. Alvin Herman, 419 Kansas Avenue, questioned whether the Township is eliminating the veteran’s tax exemption. A discussion ensued and the Township Committee will look into the exemption omission on the tax bills.
3. Nancy Thomas, 470 West Avenue, expressed her concern with the freight trains delivering goods from 11:00 PM to 5:00 AM. Ms. Thomas stated that at least three times a week the freight trains stop behind her house and remain there for up to two hours loading and unloading materials. A discussion ensued.
4. Paul Schellhardt, 1103 Perkins Lane, Edgewater Park, expressed his concern about the lights at Dietz and Watson and asked if they could install houseside shields on the light fixtures. Mr. Schellhardt also is concerned about the trash generated from Dietz and Watson. Mr. Schellhardt stated that the trash comes over their fence and into his yard and he is constantly picking up garbage. Committeewoman Kate Fitzpatrick asked the Township Planner, Scott Taylor to check the plans that were submitted to the Joint Land Use Board regarding the light shields.

### **MEETING CLOSED TO THE PUBLIC**

Since there were no further comments or questions from the public, Mayor Ouellette closed the meeting to the public.

### **DISCUSSION ITEMS:**

#### **1. PROPOSED RESOLUTION “AUTHORIZING EXECUTION OF DEVELOPER’S AGREEMENT WITH J2 ASSOCIATES, LLC”**

Henry Kent Smith, attorney for J2 Associates LLC, gave a short presentation on the J2 proposal for redevelopment of the Zurbrugg Mansion property. Mr. Smith quoted \$800,000 as a figure to be invested in the mansion in order to bring it up to modern standards for accessibility and construction code requirements as well as its architectural

glory of the original structure. Mr. Kent-Smith stated that the town houses, which are expected to be sold for about \$600,000 each, are an essential part of the project. Mr. Kent-Smith further stated that it is absolutely essential to have the town houses to allow them to absorb the cost of restoring the Mansion and to develop the bed and breakfast business without carrying a debt. Mr. Kent-Smith further stated that the redevelopment team hopes to work with the Township Committee and the Joint Land Use Board to adopt the redevelopment plan within the next month.

Mr. Perry, the architectural designer for the J2 project gave a presentation and explanation of the site plan for the Zurbrugg Mansion property.

### **MEETING OPEN TO THE PUBLIC**

Mayor Ouellette opened the meeting to the public.

1. Frank Klare, 6 Russ Farm Way, commented that the presentation was a great concept. Mr. Klare asked the Township Committee how much they paid for the Mansion when it was purchased. Committeewoman Kate Fitzpatrick stated that the Township paid one million for the Mansion and the adjacent lot for \$750,000, and the Carriage House for \$350,000. Mr. Klare asked how many rooms would be in the bed and breakfast. They replied, 24.
2. Eugenia Bonilla, 7 Pennington Court, stated that she was a real estate broker for 28 years and director and executive officer of the Burlington/Camden County Association and director of NJ Association of Realtors and has been court ordered to sell properties similar to the Mansion. Mrs. Bonilla stated that it is her personal and professional opinion that there should be serious discussion and approval of the sale of this property to J2 Associates.

Committeeman Mike Templeton asked Mrs. Bonilla for her opinion whether a business like this should pay their full tax burden. Mrs. Bonilla replied that the Township would offer some type of abatement or exemption to help offset the cost of the project.

3. Jerry Resnick, 83 Pennington Court, felt that the Township Committee should proceed with the sale of this property. Mr. Resnick stated that he heard that the people on the Township Committee that live near the Mansion are negative about this because it is in their neighborhood, and stated that anyone feeling this way should recuse himself from the debates in this area.

Mayor Ouellette commented that the Township Committee knows that the Township cannot afford to keep the Mansion and that is why they took the steps to get it on the market and to come up with the best proposal. Mayor Ouellette stated that the discussions that go on in Executive Session where members of the counsel debate, argue, and discuss issues is a healthy thing, with positives and negatives and a better plan resulting in the end. Mayor Ouellette stated that the members are doing their job and that is a healthy thing. Mayor Ouellette stated that if everyone were to go along with everything as it was presented, it would mean that no one would be needed.

The Township Solicitor, Mr. Heinold, suggested to the Township Committee talk openly about every issue tonight because he felt they have negotiated the agreement to its fullest extent between the Township Committee and J2. Mr. Heinold gave an overview of the key elements of the negotiations and also commented on the recusal issue relative to Deputy Mayor Devinney. Mr. Heinold stated that the purchase price will be \$1.85 million and the number of units will be eight. Mr. Heinold stated that the parties discussed a

PILOT agreement but there will be no PILOT regarding the town homes. The PILOT relative to the Mansion is a five year PILOT with a schedule of 22% the first year, 40%, 60%, 80%, and 100%. Mr. Heinold stated that the Township will always be assured its portion of the tax bill.

The Township Administrator, Mr. Steven Corcoran stated that he has done a cost analysis on the Mansion and stated that he was prepared to answer any question anyone may have. The public asked Mr. Corcoran to give a breakdown of the operating costs of the Mansion. Mr. Corcoran stated that the normal maintenance has been running \$21,000 per year. The total cost for the Township presently is \$86,100. Mr. Corcoran stated that the Township has borrowed the money from itself in the amount of \$2,000,000. The Township has taken it out of its cash flow of the General Fund and carrying it on a month to month basis as long as the cash flow would allow. The items that need repair are:

- roof is leaking in six or seven places
- ceilings are coming down in areas on the second, third and fourth floors
- fire escape has to be removed
- fire escape has to be replaced
- currently running the Mansion under its previous permit as a health care facility
- exterior is in significant need of repair – needs to be scraped and painted and columns replaced

Mr. Corcoran stated that there are two wild cards; the roof and brick work. Mr. Corcoran stated that the Township is looking at cost for emergency repairs in the amount of \$356,000 to \$855,000. Mr. Corcoran further stated that the Township is required to use help at the prevailing wage and all work has to be bid out which brings the total costs for emergency repairs between \$614,714 to almost \$1,500,000. (does not include any of the roof replacement, repairs to the river frontage, repair to sidewalks or tree removal, or anything to do with the Carriage House)

4. Frank Hess, 11 Wolverton Place, commented that the numbers are staggering and he is not a proponent of abatements, however, he highly recommended that the Township due a real abatement for the five years it will take the operation of the bed and breakfast to become profitable or break even.

The Township Administrator, Mr. Steven Corcoran, stated that the Township Committee has negotiated with J2, and J2 has agreed to proceed with the necessary immediate emergency repairs to the Mansion at their own cost and own risk with no cost to the Township. They are prepared to proceed with the repairs upon signing of the agreement.

Committeeman Mike Templeton commented that he thought the MOU agreement in December 2006 with J2 was to enable them to make necessary repairs to the Mansion at their own risk. Mr. Templeton asked the J2 representatives if they have spent any money on repairs since December. They answered that they did not.

5. Dave Suter, 725 Delaware Avenue, commented that he is not a fan of PILOT or abatement programs in any format because he feels they create an unfair advantage for certain businesses in town.
6. Judy Janas, 217 Walnut Street, commented that the plan looks beautiful but questioned what would happen to the property in five years if the project failed. The Township Solicitor, Mr. Heinold stated that if there was any failure on the bed and breakfast project, that any proposal would have to be brought before the Township Committee and the redevelopment plan would have to be amended. The

Township Planner, Scott Taylor stated that there were a few options available for the Mansion.

7. Karl Taraschi, 5 Pennington Court, commented that most of the people who spoke tonight are from Newton's Landing. Mr. Taraschi stated that any tax abatement that is necessary to make this plan work would be appropriate.
8. Dan Foreman, 204 Willow Street, stated that he does not like the plan for the condos. Mr. Foreman stated that he does not like the buildings and feels that they should wait and see if the bed and breakfast works first before they build the condos.
9. Donna Fishburn, 1225 Delaware Avenue, commented that she does not feel that townhouses are part of the physique of the Delaware River town she moved into four years ago.

Committeeman Mike Templeton asked Mr. Kent-Smith to describe the events and activities and parking issues that they outlined earlier in the Executive Session.

Mr. Kent-Smith stated that they are marketing the Bed and Breakfast to act as a facility that can be part of a package that the various catering halls for weddings outside of Delanco can use to have wedding guests. Mr. Kent-Smith stated that there may be occasions where there may be an event occurring on the property and those occasions will be regulated by the redevelopment plan as part of our regulations and covenants that will be imposed on the entire property. Mr. Kent-Smith added that the frontage on the Delaware River will be maintained as part of the Bed and Breakfast. Mr. Kent-Smith stated that their will be public events on this property. Committeewoman Kate Fitzpatrick added that this will include summer concerts, carriage rides, Women's Club Garden Tea and the Women's Club Christmas Tour that make the property public access to the residents of Delanco.

10. Harry Litwack, 217 Maple Avenue, commented that he can't figure out the numbers that were presented tonight. Mr. Litwack suggested that the Township keep 10% of the Mansion property, so the Township can share in the profit. Mr. Litwack asked how many trees would be removed on the property. Mr. Kent-Smith stated that twenty one trees would be removed. Mr. Litwack stated that he would like to see the same principles applied to the public as applied to the private sector.

Deputy Mayor Ed Devinney commented that he feels that this kind of risk is best handled in a private environment.

11. Frank Hess, 11 Wolverton Place, commented that a Township is not a private business and it doesn't belong in business. Mr. Hess urges the Township Committee not to be swayed by a small minority of the taxpayers in Delanco not to go forward with this project.

Mayor Ouellette stated that everyone is important and has an opportunity to be heard.

12. Darla Sweet, 203 Willow Street, expressed her concerns with traffic and parking on Willow Street and asked if anything is going to be done about this. Mrs. Sweet asked about the wall between the river and the Columns and asked if anything was going to be done to repair the wall. Mr. Kent-Smith stated that anything that has to be done on the waterfront requires a New Jersey Department of Environmental Protection Waterfront Development permit that takes twelve to eighteen months to obtain.

13. Doug McConnell, 209 Willow Street, thanked the Township Committee for taking care of the graffiti on the walls. Mr. McConnell asked if the present brick retaining walls will remain on the Mansion property. Mr. McConnell asked what the slogan for Delanco Township was and said that by this slogan, the Township is "living a lie". Mr. McConnell stated that he was against proposed use for the Mansion property.
14. Maureen Barrett, 621 Delaware Avenue, stated that this is the first time she heard mention of a tent and asked for an explanation. Ms. Barrett questioned whether there would be amplified music at their events. Ms. Barrett also asked what the market value for the townhouses would be. Ms. Barrett commented about the PILOT program and suggested that part of the PILOT agreement be negotiated for a contribution to the schools. Ms. Barrett also questioned the total occupancy for the private events.
15. Carl Taraschi, 55 Pennington Court, commented that people don't understand the process that the elected officials go through to weigh the items of concern from individuals that are their constituents. Mr. Taraschi stated that the Mansion was purchased so that the people living close to the Mansion would not have the type of people coming into this area that they objected to. Mr. Taraschi stated that the Township Committee has to make the difficult decision and perhaps disappoint a few of those people that voted for you, but in doing so recognizing the concept of redevelopment is for the benefit of the entire community and move forward with the project.

Committeeman Mike Templeton added that the waterfront is a community resource and asset.

16. Dan Foreman, 204 Willow Street, questioned the options for parking when there are events at the Mansion.
17. Doug McConnell, 209 Willow Street, commented that the promoters stated that there was adequate parking. Mr. McConnell stated that the present parking is not adequate for the neighborhood.
18. Phil Jenkins, 415 Third Street, asked what the tax implication would be for the taxpayer if the Township did not go through with this agreement. The Township Administrator, Mr. Steven Corcoran stated that the average would be about \$400.00 per resident. Mr. Jenkins commended the Township Committee for purchasing the Mansion. Mr. Jenkins stated that the Township should sell the property, but try to work with the residents in the neighborhood.
19. Ralph McCullough, 308 Buttonwood Street, commented that the promoters have purchased other real estate in Delanco and stated that they have never helped the First Aid Squad or Fire Company.
20. William Dillenbeck, 400 Pine Street, stated that several residents from Newton's Landing asked him why Creek Road was closed on Friday. Mr. Dillenbeck explained that when Newton's Landing was designed, it had an emergency road that never got built. Mr. Dillenbeck commented about the conformity of the proposal for the Mansion property. Mr. Dillenbeck stated that he could see no reason why the Township Committee shouldn't go along with this project.

#### **MEETING CLOSED TO THE PUBLIC**

Since there were no further comments from the public, Mayor Ouellette closed the meeting to the public.

Mayor Ouellette asked for comments from the Township Committee regarding the proposed resolution.

- Committeewoman Joan Hinkle stated that there have been many meetings and discussions regarding this proposal and she thinks that this is the best thing for Delanco and she is favor of the proposal.
- Committeewoman Kate Fitzpatrick agreed with Committeewoman Hinkle and stated that she is very excited about this proposal because she thinks that the Mansion will be revitalized and the public will still have access to it, and truly believes that the town homes will not block the public view.
- Committeeman Mike Templeton stated that he has some very serious reservations on the success of this plan. Mr. Templeton stated that this plan as designed has some admirable features but has some serious weak links. Mr. Templeton stated that he is not in agreement with the PILOT agreement because he feels businesses should pay the full price. Mr. Templeton feels that within a few years, there will be a cluster of town homes with a dead core. Mr. Templeton also stated that he advocated that the Joint Land Use Board members be brought in at this phase. Mr. Templeton stated that he is not in favor of this project at this time and feels that we will be back in this room again sometime down the road.
- Deputy Mayor Ed Devinney stated that he has recused himself from voting. However, he stated that he has listened to everyone and he personally feels that if he could vote, that he would be in favor of this project.
- Mayor Ouellette stated that he has certain reservations about this project. However, he feels at this point in the proposal, he is in favor of going forward with the proposal.

Mayor Ouellette thanked all the residents for coming out and voicing their opinions. Mayor Ouellette stated that the Township Committee still has to get the Joint Land Use Board involved for their input.

**RESOLUTION 2007-64  
AUTHORIZING EXECUTION OF DEVELOPER’S AGREEMENT WITH J2  
ASSOCIATES, LLC**

**WHEREAS**, in June 2006, the Township of Delanco (the “Township”), designated the Zurbrugg Mansion properties as a Redevelopment area pursuant to N.J.S.A. 40A:12A-1, et seq. The Zurbrugg Mansion properties consist of Block 1202, Lots 1.01, 1.02 and 1.03 and Block 1201, Lots 1.01 and 1.02 (collectively referred to as “the Property”); and

**WHEREAS**, the Property is comprised of two developed lots and three primarily undeveloped lots (one of the waterfront lots contains a gazebo). Block 1202, Lot 1.01 contains the Zurbrugg Mansion, which the Township seeks to have retained and restored consistent with historic preservation principles. Block 1202, Lot 1.03 contains a single-family home referred to as the Carriage House; and

**WHEREAS**, the Township, on December 18, 2006, authorized the execution of a Memorandum of Agreement (“MOU”) with J2 Associates, LLC by enacting Resolution 2006-157, which Resolution is incorporated herein by reference; and

**WHEREAS**, the purpose of the MOU was to negotiate the terms of a Redevelopment Agreement; and

**WHEREAS**, the parties have negotiated a Redevelopment Agreement, the most current version of which is attached hereto and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Delanco that:

1. The Township hereby authorizes the Mayor and Township Clerk to enter into a Redevelopment Agreement with J2 Associates for the redevelopment of the Property.
2. The Township Attorney, Planner, Architect, Administrator, officers, officials and other representatives of the Township, are hereby authorized to perform the tasks necessary to carry out the obligations and intent of the Redeveloper's Agreement, including transfer of the Property.
3. This authorization is conditioned upon the finalization of the Agreement in accordance with the revision to eight townhome units and a purchase price of \$1.85 million and the finalization of exhibits.

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to adopt Resolution 2007-64 authorizing the execution of the developers agreement with J2 Associates LLC.

**Roll Call:** Devinney, recused; Fitzpatrick, yes; Hinkle, yes; Templeton, no; Ouellette, yes

**COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Steven Corcoran –**  
Mr. Corcoran stated that he has nothing further to report.

**COMMENTS – DEPARTMENT HEADS**

**Public Works – Mr. John Fenimore**

- announced that leaf pickup will be April 1 through April 15
- announced that brush pickup will begin March 26 through March 31
- reported that they had several problems with snow removal last weekend – Mr. Fenimore stated that it is important for the residents to pull their vehicles into the driveway when there is an ice storm so the plows can go down the street to allow the water to run down the gutters
- ball fields were scheduled to be done today but because of the weather conditions, they couldn't be done
- reported that Tri-Boro Paving paved the parking lot at Hickory Street
- reported they dug up at West Avenue and are waiting to pave

**Township Planner – Mr. Scott Taylor** – Nothing to report

**Municipal Clerk – Mrs. Janice Lohr** –

- announced the new election district (6) – includes Newton's Landing, The Point, and all addresses on Creek Road – a few addresses on Coopertown Road will move to District 3 and the remaining in District 6 – information is in the Beverly Bee and on the Delanco website as well as on the sample ballots.
- School election is April 17<sup>th</sup> – all districts will be voting at the Pearson School this year
- announced that the Township Committee has approved that we try a Town wide yard sale in the Spring this year and the scheduled date is May 5<sup>th</sup>

Committeewoman Kate Fitzpatrick asked the Municipal Clerk, Mrs. Janice Lohr if she received a date for the school public hearing for their budget. Phil Jenkins stated that introduction of the school budget is the last Wednesday of the month, March 28, 2007.

**Township Solicitor – Mr. Douglas Heinold** – Nothing to report

**COMMENTS – TOWNSHIP COMMITTEE**

**Committeewoman Kate Fitzpatrick** –

- announced that the Recreation Commission is having their Spring into Summer dance on Friday, March 23<sup>rd</sup> – tickets are still available
- announced that the Easter Egg Hunt is March 31<sup>st</sup> at 1:00 PM on West Avenue – flyer will go home with school children tomorrow
- announced that the seniors are sponsoring a bus trip to Philadelphia to see the King Tut exhibit on May 23<sup>rd</sup> and a luncheon at Maggio's Restaurant – has flyers available

**Mike Templeton** – Nothing to report

**Joan Hinkle** –

- reported that the Shade Tree Commission had their seminar and it was very well attended and very interesting
- reported that there has been a request to have the excess fill dirt removed on the Creek Road property and she needs a motion to go ahead with it – Tom Lewandowski is taking the excess dirt to Delran – Township needs a request and has to know where it is coming from and where it is going – Mike Templeton asked to have the request submitted in writing. – The Township Solicitor, Mr. Heinold stated that there is a formal soil removal permit process – The Township Administrator, Mr. Steven Corcoran stated that the permit is not required if the soil has been a result of construction or excavation The Township Municipal Clerk stated that a block and lot or address for the location it is being moved from is needed. Committeeman Mike Templeton suggested a letter be composed to specify who is requesting the soil removal, where it is located and where it is going.

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to allow the removal of the soil on Creek Road.

**Roll Call:** Devinney, abstain; Fitzpatrick, yes; Hinkle, yes; Templeton, no; Ouellette, no motion does not carry.

**Ed Devinney** –

- attended the funeral of Bob Bellan last week and stated that Mr. Bellan was a great contributor and Delanco lost a good man

Motion by Ed Devinney, seconded by Joan Hinkle to adjourn the meeting.

**Roll Call:** Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

Janice M. Lohr, RMC  
Municipal Clerk  
March 19, 2007