

TOWNSHIP COMMITTEE MEETING – MAY 5, 2008

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

ROLL CALL:

Devinney, present; **Fitzpatrick**, present; **Hinkle**, present; **Templeton**, present;

Ouellette, present

Also Present: Mr. Corcoran, Twp. Administrator; Mr. Denton, Twp. Engineer; Mr. Kearns, Twp. Solicitor; Mrs. Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Mr. Fenimore, Supt. Of Public Works

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 7, 2008 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 requested a moment of silence for past Mayor Richard Schmitz who passed away this week-end.

ORDINANCE 2008-03

ORDINANCE OF THE TOWNSHIP OF DELANCO ADOPTING A REDEVELOPMENT PLAN, AND AUTHORIZING ACTIONS TO PROMOTE REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A.40a:12a-1 et seq.

****SECOND READING BY TITLE ONLY & PUBLIC HEARING**

The Township Municipal Clerk, Mrs. Janice Lohr stated that she received a memo from the Land Use Board Secretary that the Land Use Board met and reviewed the redevelopment plan and determined that it was consistent with the Master Plan.

Mr. Henry Kent Smith, on behalf of Zurbrugg Partnership, had a question because the appellate division rendered a decision on Friday relating to the powers of the Governing body as acting as a redevelopment authority in relationship to the review of the redevelopment plans by the Land Use Board. Mr. Smith, after reviewing the redevelopment plan, asked the Township Solicitor, Mr. Kearns if the plan requires that the Township Committee render compliance verification.

The Township Solicitor, Mr. William Kearns stated that he will review the case and have an answer tomorrow.

HEARING OPEN TO THE PUBLIC

Mayor Ouellette opened the hearing to the public

HEARING CLOSED TO THE PUBLIC

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

hearing to the public.

Deputy Mayor Mike Templeton asked Mr. Henry Kent Smith about urban renewal entity and questioned why it was in the agreement. Mr. Templeton asked for clarification that Zurbrugg Partnership would not be seeking any tax abatements or pilot agreements. Mr. Templeton also wanted to clarify that Zurbrugg Partnership had the money to purchase the property, but did not have the money or financing to complete the project. Mr. Templeton questioned who would be handling the COAH components. Mr. Templeton questioned who would manage the first floor at the Mansion. Mr. Cherkas stated that the Mansion will be owned by Zurbrugg Partnership and the first floor area will be a common area for the Mansion residents.

Mayor Ouellette asked for clarification on the apartments. Mayor Ouellette expressed his concern regarding a few trees on the property and setbacks related to them.

Deputy Mayor Templeton expressed his concern regarding the COAH units. Mr. Smith commented that the redevelopment agreement states that in the end Zurbrugg Partnership will forego their equity in the purchase of the transaction in the event of a foreclosure prior to the completion of the affordable units. Mr. Smith stated that the Township would get back title to the Mansion and has the Ryan dollars available.

Motion by Kate Fitzpatrick, seconded by Ed Devinney to adopt Ordinance 2008-3

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

ORDINANCE 2008-3

ORDINANCE OF THE TOWNSHIP OF DELANCO ADOPTING A REDEVELOPMENT PLAN, AND AUTHORIZING ACTIONS TO PROMOTE REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

BE IT ORDAINED, by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey, as follows:

Section 1. PURPOSE AND INTENT; BACKGROUND.

This Ordinance, and the “Zurbrugg Mansion Redevelopment Plan” adopted herein, are intended to implement a redevelopment strategy for real property referred to generally as the Mansion parcels, including Block 1202, Lots 1.01, 1.02 and 1.03, and Block 1201, Lots 1.01 and 1.02, as designated on the Tax Maps of Delanco, as may be redesignated from time to time (“Redevelopment Area”), which Redevelopment Area is now owned by the Township of Delanco.

The primary goals of the Township’s redevelopment strategy are to improve the quality of life for its residents, and provide for the residential development of the Mansion properties in a manner to benefit the community and the Township at large, and to ensure the long-term viability of suitable uses for the property while retaining and restoring the Zurbrugg Mansion through a Redevelopment Project.

On June 20, 2006, pursuant to an investigation and ultimate recommendation by the Township Joint Land Use Board, and following public hearings and notices pursuant to the Local Redevelopment and Housing Law, the Township Committee adopted Resolution No. 2006-103 formally designating the Redevelopment Area and directing the preparation of a Redevelopment Plan. The Township was in sole ownership of all the properties within the Redevelopment Area at the time of the designation of the Redevelopment Plan and remains so at this time.

The Township has received numerous proposals for the Mansion and considered same, before entering into a Redevelopment Agreement with Zurbrugg Partnership, LLC, as authorized by Resolution 2008-54 on March 31, 2008, and confirmed to form by Resolution 2008-56 on April 14, 2008. The parties have executed the Redevelopment Agreement, which calls for the construction of 8 townhome units, the redevelopment of the Mansion for up to 24 senior restricted residential units, with a significant COAH obligation as to those units, at a purchase price of \$1.8 million.

Section 2. DETERMINATION OF “AREA IN NEED OF REDEVELOPMENT.”

The Redevelopment Area, as adopted in June of 2006 by The Township Committee by Resolution, upon recommendation of the Planning Board, was designated as a Redevelopment Area in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Section 3. ADOPTION OF THE REDEVELOPMENT PLAN.

The Local Redevelopment and Housing Law provides that no Redevelopment Project shall be undertaken except in accordance with a Redevelopment Plan adopted by Ordinance. The Zurbrugg Mansion Redevelopment Plan, dated April 16, 2008, as prepared by Taylor Design Group, professional planners, with the Township Committee and the Township Joint Land Use Board and introduced pursuant to law, is hereby ADOPTED, and, by reference hereto and incorporation as if fully set forth herein at length, the Zurbrugg Mansion Redevelopment Plan and this Ordinance set forth the Township’s goals and objectives for the area. This adopted Redevelopment Plan shall supersede the Township Zoning and Master Plan.

Section 4. AUTHORITY OF THE TOWNSHIP IN FURTHERANCE OF THE REDEVELOPMENT PLAN.

The Township Committee of the Township of Delanco, County of Burlington, shall have, and is hereby entitled to have and be vested with, all powers and all authority available to it in furtherance of the goals and purposes of said Zurbrugg Mansion Redevelopment Plan.

The Township Committee will function as Redevelopment Entity (“Redevelopment Agency”) in order to effectuate redevelopment for residential uses consistent with the Redevelopment Agreement with Zurbrugg Partnership, LLC. The Township Committee is specifically empowered to undertake any such actions as authorized and set forth under N.J.S.A. 40A:12A-1 et seq., including but not limited to contracting with Zurbrugg Partnership, LLC for the construction and improvements within the Redevelopment Area, pursuant to this Ordinance and the Redevelopment Plan.

Section 5. TIME LIMITS.

The Redevelopment Plan shall be implemented within five (5) years from the date of adoption. Any termination of this Redevelopment Plan shall in no way permit the land or structures in the Redevelopment Area to be restricted on the basis of race, creed, color, gender, marital status, age, handicap, family status, ancestry or national origin.

Section 6. ANNUAL REPORTS.

The Township of Delanco shall submit an annual report to the Commissioner of the Department of Community Affairs of the State of New Jersey indicating the name, location, and size of all projects undertaken within the Redevelopment Area.

Section 7. ADDITIONAL STATUTORY REQUIREMENTS.

As set forth below, the Zurbrugg Mansion Redevelopment Plan is in full compliance with State statutes.

A. Definitions. The definitions provided for in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

B. Discrimination Ban. No covenant, lease, conveyance or other instruments shall be executed whereby land or structures within the Redevelopment Area are restricted upon the basis of race, creed, color, gender, age, handicap, family status, ancestry or national origin.

C. Pre-existing Approvals. Any plans approved by the Township of Delanco prior to the adoption of this Redevelopment Plan shall not be subject to the requirements of the Redevelopment Plan.

D. Relationship of Plan to Definite Local Objectives. The Zurbrugg Mansion Redevelopment Plan is a comprehensive plan which includes a complete description of the relationship of the Plan to the definite local objectives as to appropriate land uses.

E. Proposed Land Uses and Building Requirements. The Redevelopment Plan, which is attached hereto and incorporated herein, includes maps and provisions sufficient to describe the land uses and building requirements within the Redevelopment Area.

F. Relationship to other Plans. The Zurbrugg Mansion Redevelopment Plan contains text sufficient to describe its relationship to the State Development and Redevelopment Plan and the County and Municipal Master Plans. In addition, this Redevelopment Plan shall have no detrimental effect on the Master Plans of contiguous municipalities.

G. Relationship of Municipal Land Use Law. The Zurbrugg Mansion Redevelopment Plan describes any relationship to the Municipal Land Use Law, as appropriate, which Plan is incorporated herein.

H. Relocation Provision. No residential occupancy relocation is proposed in this Redevelopment Plan.

Section 8. PROCEDURES FOR AMENDING THE PLAN.

This Redevelopment Plan may be amended from time to time, in accordance with the requirements of law, provided that, when revisions or amendments materially affect an owner with an interest in the Redevelopment Area, the Township of Delanco shall hold public hearings, and shall issue notices to owners whose interests therein are materially affected. Procedures for amending the Redevelopment Plan shall be as regulated in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. All of the Mansion properties are under Township ownership at this time.

Section 9. ESCROW AGREEMENT.

The Redeveloper and the Township of Delanco have entered into an escrow agreement under the Redevelopment Agreement providing for reimbursement to the Township for fees and costs incurred, or to be incurred, by the Township, including fees and costs, for the preparation and adoption of this Redevelopment Plan.

Section 10. INCONSISTENT ORDINANCES REPEALED.

All prior Ordinances or portions thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 11. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption and publication, as required by law.

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.”)

CONSENT AGENDA:

PAYMENT OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$923,808.70
PAYROLL	73,056.23
TRUST	16,705.85
OPEN SPACE TAX	3,000.00

GENERAL ACCOUNT – MAY 5, 2008

24329	BEVAN SECURITY SYSTEMS INC	90.00
24330	BURLINGTON COUNTY TREASURER	428,209.25
24331	BURLINGTON LINCOLN MERCURY	1,850.23
24332	CLEAN RENTAL SERVICES INC	226.83
24333	CLC LOCKSMITHS	417.90
24334	DELANCO TWP BOARD OF EDUCATION	402,190.00
24335	DELANCO FIRE COMMISSIONERS	24,666.66
24337	DELL MARKETING LP	788.99
24338	DIGIULIOS FOOTWEAR PLUS	114.99
24339	ENVIRONMENTAL RESOLUTIONS INC	1,755.30
24340	FEDEX	72.47
24341	FITZGERALD & CO	900.25
24342	GALLS INC	605.85
24343	IMPACT TECHNOLOGY SOLUTIONS	1,140.00
24344	KEARNS VASSALLO & KEARNS	5,000.00
24345	LAND ENGINEERING & SURVEYING	653.75
24346	NJ AMERICAN WATER CO	282.31
24347	NJ SHADE TREE FEDERATION	95.00
24348	NJ LEAGUE OF MUNICIPALITIES	75.00
24349	NJ STATE HEALTH BENEFIT PROG	30,216.65
24350	PSE&G	1,931.61
24351	PAYROLL ACCOUNT	7,285.16
24352	PARKER MCCAY-ATTORNEYS AT LAW	10,781.76
24353	SECURITY IDENTIFICATION SYSTEM	48.00
24354	STEWART BUSINESS SYSTEMS	162.68
24355	TEMPROL CORP	261.00
24356	VERMEER NORTH ATLANTIC SALES	47.02
24357	VERIZON CABS	190.31
24358	VERIZON	424.69
24359	W B MASON CO INC	325.04
TOTAL		\$923,808.70

CURRENT

24327	PAYROLL ACCOUNT	42,796.72
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24328	PAYROLL ACCOUNT	30,083.51
TOTAL		\$72,880.23
1982	BIRDSALL ENGINEERING INC	875.00
1983	LAND ENGINEERING & SURVEYING	13,463.75
1984	PENNONI ASSOCIATES INC	2,367.10
TOTAL		\$16,705.85
MCP OPEN SPACE		
91	MARTIN APPRAISAL ASSOC INC	3,000.00
TOTAL		\$3,000.00
PUBLIC DEFENDER		
1056	PAYROLL ACCOUNT	176.00
TOTAL		\$176.00

RESOLUTION 2008-52

**AUTHORIZING EXECUTION OF EMPLOYMENT AGREEMENT
DELANCO POLICE ASSOCIATION**

WHEREAS, the Township and the Delanco Police Association previously entered into an Employment Agreement to provide terms to employment beyond those controlled by the Statutory position; and

WHEREAS, an informal Subcommittee was created consisting of the Township Administrator and Committeeman Devinney, which Subcommittee met and negotiated with the Association; and

WHEREAS, the Township and the Association have reached a tentative agreement to take effect retroactive to January 1, 2008.

NOW, WHEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Mayor and Members of the Township Committee are hereby authorized to ratify an employment Agreement, and the Township Clerk or Deputy Township Clerk is hereby authorized to attest to said signatures.

RESOLUTION 2008-68

RESOLUTION APPOINTING TEMPORARY DEPUTY MAYOR

WHEREAS, N.J.S.A. 1-13 provides that both a Mayor and a Deputy Mayor are authorized to perform weddings;

WHEREAS, the Mayor and Deputy Mayor are unavailable to perform a wedding on May 16, 2008; and

WHEREAS, Committeewoman Kate Fitzpatrick wishes and is available to perform the wedding on May 16, 2008;

WHEREAS, the Township of Delanco desires to appoint Kate Fitzpatrick as Deputy Mayor for one day, on May 16, 2008;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the TOWNSHIP OF DELANCO, County of Burlington, State of New Jersey, that Kate Fitzpatrick be and hereby is appointed Deputy Mayor of the Township of Delanco, said appointment commencing May 16, 2008 and expiring on may 17, 2008.

RESOLUTON 2008-69

RESOLUTION GRANTING VETERAN'S TAX DEDUCTION FOR YEAR 2007

WHEREAS, it has been determined that the Veteran's Tax Deduction for the following Veteran was removed in error from the resident's property tax record.

BE IT RESOLVED that the Tax Collector has determined that the following has qualified for a Veteran's property tax deduction in the amount of \$250.00 for 2007 and is due a refund of said amount.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
404	6	Robert McNulty, Jr. 409 Illinois Ave. Delanco, NJ 08075	\$250.00

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

RESOLUTION 2008-70

A RESOLUTION AUTHORIZING THE TOWNSHIP OF DELANCO TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

BE IT RESOLVED AND ENACTED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey to authorize an Agreement with: Burlington County for cooperative participation in the Community Development Act of 1974.

SECTION I. Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-363, as amended; and

SECTION II. It is necessary to establish a legal basis for the County and its people to benefit from this program; and

SECTION III. An Agreement has been proposed under which the Township of Delanco and: the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to NJSA 40:8A-1 et seq., and

SECTION IV. It is in the best interest of the Township of Delanco that the agreement entitled "Agreement Between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.

SECTION V. The Township of Delanco shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Delanco and affix thereunto the Official Seal.

SECTION VI. All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.

SECTION VII. This Resolution shall take effect immediately after passage and publication as provided by law.

RESOLUTION 2008-71

RESOLUTION REFUNDING UNEXPENDED ESCROW ACCOUNT – STREET OPENING PERMIT

WHEREAS, the following applicant has posted an application fee and escrow on for a street opening permit within the Township of Delanco, and;

WHEREAS, said application was for a street opening on Maple Ave.; and
WHEREAS, said street opening has been closed and work completed at said address;
and

WHEREAS, the Superintendent of Public Works has indicated that said street opening has been properly closed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco that the Township Treasurer be authorized to refund the escrow fee to:

Otto P. Anderson, Jr.
211 Maple Ave.
Delanco, NJ 08075
Amount: \$500.00 (Permit Number 2007-007)

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

RESOLUTION 2008-72

RESOLUTION REDUCING PERFORMANCE GUARANTEE FOR CREEKSIDE AT DELANCO, BLOCK 1802, LOT 2

WHEREAS, Creekside at Delanco, LLC has been granted preliminary approval and final approval of development plans for Creekside at Delanco, subject to certain terms and conditions including, but into limited to, the filing for Third Party Performance Guarantees guaranteeing the satisfactory installation of certain on-tract and off-tract public improvements; and

WHEREAS, Creekside at Delanco, LLC has requested a performance bond reduction for an specified amount of work completed in accordance with the procedures set forth in N.J.S.A. 40:55D-53.d that the required improvements have been completed which are the subject matter of the aforementioned and has requested the reduction of said Performance Guarantee for said section; and

WHEREAS, the Township Engineer has inspected the improvements of which notice has been given and has filed a report in writing with the Township Committee and has recommended that the Township Committee approve a reduction to the Performance Guarantee and accept the improvements to date as indicated in the Engineer's letters dated April 17, 2008; and

WHEREAS, the Township Committee has reviewed said request and report and desires to act favorably with respect to the Engineer's recommendations in accordance with N.J.S.A.40:55D-53.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delanco, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Committee, for the aforementioned reasons, hereby approves the revised reductions of the aforementioned Performance Guarantees filed for Creekside at Delanco, LLC and accepts the public improvements completed to date which are the subject matter of the aforementioned April 17, 2008 Engineer's letter, said public improvements being particularly described in the estimate attached to the aforementioned Performance Guarantee as set forth in the Engineer's report. All applicable property taxes and other escrow charges shall be current.

2. That the Township Committee, for the aforementioned reasons, hereby declares that the reduction of the Performance Guarantee is subject to the payment of all outstanding professional review and inspection escrow fees.

APPROVAL OF CONSENT AGENDA

Motion by Ed Devinney, seconded by Mike Templeton to approve the consent agenda

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

*****SPECIAL PRESENTATION*** - RIVER KEEPER PROJECT**

Mr. Frank Klare, 6 Russ Farm Way, member of the Board of Trustees, thanked the Township Committee for giving them the opportunity to present their project. Mr. Klare stated that in July of 2007 one of the Newton's Landing homeowners approached the Board of Trustees with an idea and plan to enhance the Rancocas shoreline along the Newton's Landing area. Mr. Klare distributed a hand-out to the members of the Township Committee that outlined their plans for the Rancocas Creekside.

Mr. Mancer Cyr, 4 Russ Farm Way gave a presentation of their plans. Mr. Mancer Cyr stated that Japanese Knotweed is an invasive weed found along the banks of water areas and part of their program is to eliminate that infestation along the Rancocas Creek. Mr. Mancer Cyr stated that they would like to clean up the area to improve the look and Township values. Mr. Mancer Cyr stated that in order to do their project, they must form a consortium to qualify for the funding. Mr. Mancer Cyr stated that they have to get a detailed vegetation assessment and begin the two year process for the Japanese Knotweed control. Mr. Mancer Cyr stated that the County will not help until ownership is established for the property. A discussion ensued regarding the ownership of the property.

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public.

1. Jack Hoefle, 44 Pennington Court, commented that periodically the homeowners at Newton's Landing have a neighborhood clean-up along the Rancocas Creek and asked if they can do anything for the River Keeper Project that would be at no expense to them. A discussion ensued regarding responsibility and ownership of the property in question. The consensus of the Township Committee was that the County walk the path to determine their criteria for acceptance and make the Township's the same.
2. Marlene Jass, 4 McCay Way, asked if Birdsall Engineering could walk with the County engineer to make sure that the path is up to code and that they are not doing the walk thru numerous times.
3. Mario Napolitano, 54 Pennington Court, commented that he has been listening to everyone and is completely confused and asked for clarification on the pathway. A discussion ensued about the pathway and tri-party agreement.
4. Ralph McCullough, 308 Buttonwood Street, commented that the yellow line on the drawing for the path is completely wrong.
5. Marlene Jass, 4 McCay Way clarified that it is all one lot and block (the basin and the path) that has to be transferred.
6. Dan Martin, 628 Pennsylvania Avenue, a member of the Joint Land Use Board, has come to the Township Committee for assistance. Mr. Martin expressed his concern about the developments and some streets in the Township that have one side of the street parking and the parking regulations are not being enforced. Mr. Martin is asking for enforcement of the regulations.

MEETING CLOSED TO THE PUBLIC

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

CORRESPONDENCE – Municipal Clerk – Mrs. Janice Lohr – nothing to report

DISCUSSION ITEMS:

1. REVIEW OF DEFEATED SCHOOL BUDGET AND RECOMMENDATIONS

Mayor Ouellette stated that the School Budget was voted down by the residents of Delanco Township and then it was sent to the Delanco Township Committee. The Committee set up a sub-committee and met with members of the School Board and the Superintendent and reviewed the budget. Mayor Ouellette stated that they met with Diana Cawood this evening and made recommendations to cut their budget. They came to an agreement.

Motion by Joan Hinkle, seconded by Ed Devinney to proceed with the recommendations set forth tonight.

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

RESOLUTION 2008-73

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELANCO CERTIFYING THE AMOUNT NECESSARY TO BE APPROPRIATED FOR THE 2008-2009 SCHOOL BUDGET TO PROVIDE A THOROUGH AND EFFICIENT SYSTEM OF SCHOOLS IN THE LOCAL DISTRICT

WHEREAS, the Board of Education of the Delanco Township School district submitted a budget to the voters of the Township of Delanco at the Annual School Election on April 15, 2008; and

WHEREAS, the voters of said Township School District have rejected said budget; and

WHEREAS, the governing body of the Township of Delanco pursuant to N.J.S.A. 18A:22-37 is required to determine the amount necessary to be appropriated to provide a thorough and efficient system of schools in the District; and

WHEREAS, the Township Committee of the Township of Delanco has conferred with the Delanco Township Board of Education to fulfill their function under the above statute.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey, as follows:

1. The Township Committee hereby determines the following amounts to be necessary to provide a thorough and efficient system of schools in the Delanco Township School District for the 2008-2009 school year, amounts being based upon a determination that certain line items in the proposed school budget may be reduced or increased as set forth hereafter:

GENERAL FUND

- (A) Original Tax Levy on Ballot for Budget:
\$4,843,702.00
- (B) Amount of Reduction to Tax Levy for Budget
\$46,950
- (C) **Total Amount of Tax Levy Certified for Budget**

\$4,796,752.00

2. The Township Committee of the Township of Delanco recommends and adopts as the supporting reasons for the actions of the Township Committee on the 2008-2009 budget of the Delanco Township School District as follows: (the original proposed budget is incorporated herein for reference fully). A.

1. Account Number 11-100-100-270 headed "Health Benefits" is reduced by \$46,950 Township Committee notes that this reduction is made in concurrence with representatives of the Delanco Board of Education and Delanco school district. This reduction will have no impact on the T&E education of Delanco students.

2.. The Township Committee in making these recommendations has carefully scrutinized the original proposed budget, documentation requested and supplied by the Board of Education, the testimony from the Board of Education and as made the determinations properly related to educational considerations. The Committee has made their recommendations with full regard for the State's educational standards and its own obligation to fix a sum sufficient that will not impair the educational programs or the ability of the School district to provide a thorough and efficient system of local schools in view of the make up of the community.

AND BE IT FURTHER RESOLVED that the Township Committee hereby directs the Township Clerk to forward the certifying resolution to the Burlington County Board of Taxation, the Delanco Township Board of Education, the Delanco Tax Collector and the Burlington County Superintendent of Schools.

Motion by Joan Hinkle, seconded by Mike Templeton to adopt Resolution 2008-73.

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

2. AUTHORIZATION OF REQUIREMENT TO REIMBURSE OPEN SPACE TAX TRUST ACCOUNT WHEN REFUNDS FROM FEMA OR OTHER AGENCIES AND GRANTS ARE RECEIVED

Mayor Ouellette stated that we borrowed money from this account for the mold remediation at the Mansion and removal of the oil tanks. Mayor Ouellette stated that once the Township receives the money from FEMA or other agencies, they will replace it in the open space tax account.

Deputy Mayor Mike Templeton questioned if the grants or money are not received; does it become an obligation for the Township to replenish the open space tax account? Committeewoman Kate Fitzpatrick stated that she feels the Township has a responsibility to return the funds as they come in. Deputy Mayor Mike Templeton feels that the Township is taxing people twice and he does not think that is fair.

The Township Administrator, Mr. Steven Corcoran reported that he received a letter from the attorney for the EJIF and it said to forward the various invoices that the municipality has paid and the EJIF will pay up to \$10,000.00 of those bills subject to a release entered into by both the municipality and EJIF.

Mayor Ouellette polled the Township Committee members and the consensus was that the money received should be put back into the open space account "AS" received. Committeewoman Kate Fitzpatrick requested that the wording be changed to "AS" instead of "are" received, and she wanted to see a resolution to that effect. The Township

Solicitor, Mr. William Kearns said that was feasible and could be put on the agenda for the next Township Committee meeting.

3. MANSION UPDATE

The Township Administrator, Mr. Steven Corcoran stated that we are still waiting on the report of the oil tanks. Mr. Corcoran stated that he was told verbally that they did not see any visible issues.

Mayor Ouellette stated that the sale of the Mansion is moving along and the Township did receive money from Ryan Homes for their portion of the COAH obligation to transfer the COAH units from Rivers Edge over to the Mansion. Mayor Ouellette stated that they still have a target date for settlement on the Mansion scheduled for June 30th or before.

Deputy Mayor Mike Templeton questioned whether they should start working with the Engineer, Planner and State investigating grants and permits for restoration of the riverfront parcel. A discussion ensued.

The Township Administrator, Mr. Steven Corcoran will have someone prepare a presentation for the Township Committee to let them know what is available and how to go about doing it.

4. ACQUISITION OF RECYCLING CARTS FOR PAPER AND CARDBOARD

Mayor Ouellette stated that the Township is going to enhance their recycling program through the acquisition of recycling carts for paper and cardboard. Committeewoman Joan Hinkle stated that the County figured out that Delanco Township could save about \$7200.00 a year by using these carts. Mayor Ouellette commented that the initial cost per container was about \$50.00 and the Township's cost would be about \$25.00 per container.

The Superintendent of Public Works, Mr. John Fenimore suggested that anyone that puts trash in the recycling bucket be fined immediately and this must be enforced.

5. MUNICIPAL BUDGET PREPARATION UPDATE

Mayor Ouellette stated that the Township is waiting to hear from the State as to how much money they will receive. The professionals are telling the Township to hold off introducing the budget. Mayor Ouellette stated that a draft of the budget will be prepared and will be available to the Township residents.

COMMENTS – PROFESSIONALS

Township Engineer – Mr. David Denton

- reported that they have delayed the bidding of the Walnut Street Community Grant Development project until they have an opportunity to incorporate the Shade Tree Commissions comments into the plans. They plan to advertise it next week and have a bid opening on May 29th and award it in June.
- regarding the recycling carts; the Township might want to consider adding to the subdivision ordinance that in all new subdivisions the developers provide at least one recycling cart per unit

The Township Administrator, Mr. Steven Corcoran suggested that the Township Committee may want to direct the Township Solicitor to provide a draft of ordinance modification for the subdivisions to reflect the recycling carts provision by the developer.

Township Solicitor – Mr. William Kearns – no separate report

COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Steven Corcoran

- reported that he has four DVD's of the River Route movie on Delanco
- reported that there has been a lot of discussion about the Skate Park and he stated that effective immediately the “activity” of the Police Department last year has started
- had an informal meeting with counterparts in Beverly and Edgewater Park to talk informally about opportunities that might exist for shared services and that Riverside also wants to talk about this

COMMENTS – DEPARTMENT HEADS

Department of Public Works – Mr. John Fenimore

- had inspection for the JIF environmental and they are making recommendations on things that need to be cleaned up
- brush pickup is overwhelming and they have to move on to do other projects – he will send out letters to residents that they will be fined if the debris is not off the street
- had a storm water management audit last week – was informed that when you are doing the budget, the most important thing to consider is storm water management – found out that the Township must visually inspect all storm drains(400) and keep documentation on all drains

Municipal Clerk – Mrs. Janice Lohr

- announce that the polling places (primary and general) for districts 1 and 2 is no longer at the Walnut Street School; they are located at the Pearson School
- announced that this Saturday, May 10, 2008; there will be a planting day and is asking for community help at the pocket park on Burlington Avenue and Vine Street for the Eagle Scout Project
- announced that May 17th is the Annual Town wide yard sale – Fire and EMS Hoagie Sale – Scouts will also be participating at the Washington Fire House

COMMENTS – TOWNSHIP COMMITTEE

Joan Hinkle –

- reported that the Shade Tree Commission had Arbor Day on April 25th and there was a nice crowd and ceremony – Mayor Ouellette read proclamation – (3) trees were planted by Walnut Street School – this entitles Delanco to be a Tree City and they will get a sign to display

Mike Templeton –

- attended the Arbor Day Celebration and commented that Bill Matulewicz found a 1926 penny while digging a hole for a tree
- sat in on the Township audit last week – Township Auditor is concerned about the dwindling surplus
- attended the School Board Meeting with Mayor Ouellette, Mr. Livingood and their CFO
- Skate Park problems with trash cans turned over – asked if it is possible to have a pad built and have the trash cans bolted down
- talked to New Jersey Transit about graffiti that was on the bridge on the Rancocas and they painted over it

- asked where the Township is with the parking for the Light Rail Station – Township Engineer said he was waiting to hear from New Jersey Transit
- announced that the Joint Land Use Board meeting is tomorrow night – Winzinger and Hovnanian Savannah Mews

Kate Fitzpatrick –

- attended DYSA meeting and they have reorganized and moving forward with providing sports programs in the Township – they scheduled a car wash but it was cancelled due to rain – next car wash will be posted on Township sign and website
- attended the Joint Land Use Board meeting regarding the redevelopment plan for the Mansion and the Creekside Development – recommended to Creekside that the sidewalk be continued down Burlington Avenue to Larchmont Avenue (will approach the resident first)
- attended the National Day of Prayer at the Gazebo
- unable to attend the Library Tea
- announced that the Women’s Club will have a benefit for Jack Towell on May 17th at the Knights of Columbus
- announced that the Memorial Day Parade will be held on May 25th at 1:30PM

Ed Devinney –

- attended the Joint Land Use Board Meeting
- attended the Library Tea and thanked the people on the Library Committee for their time
- plans to meet with PSEG representative on Wednesday at the Municipal Building to discuss the street lights

Mayor Ouellette –

- been working on the budget
- attended the Joint Land Use Board Meeting
- attended the Arbor Day Celebration
- met with the School Board representatives regarding the budget

Ralph McCullough, 308 Buttonwood Street, thanked Mr. John Fenimore, the Superintendent of Public Works for fixing a whole in the street and thanked Committeewoman Kate Fitzpatrick for helping him. Committeewoman Kate Fitzpatrick stated that she had a street named after Ralph McCullough’s grandfather in the proposed new development Crossings at Delanco Junction.

Steve Schofield, 400 Burlington Avenue, commented that Delran has an area designated for brush and leaves and stumps and asked if it would help the Public Works Department if it would help if they had such an area where residents could bring it themselves. Mr. Fenimore stated, “He will never do that”. Mr. Schofield asked if this was a good time when speaking with the School Board people, to bring up the issue with communications and for the use of the school facilities by the Recreation Commission. Committeewoman Kate Fitzpatrick said that the Recreation Commission is presently working with the school. Ms. Fitzpatrick stated that she had never had a problem with the School when asking to use their facilities.

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public.

Marlene Jass, 4 McCay Way, asked the Superintendent of Public Works if there was an area in the Public Works Yard for paper and cardboard.

Steve Jass, 4 McCay Way, commented that he understands there is a smaller container that is available. Mayor Ouellette said there are two different sizes and the Township will consider both sizes.

Ralph McCullough, 308 Buttonwood Street, asked if they would be playing soccer at the Walnut Street School because he saw them using the track for soccer yesterday.

MEETING CLOSED TO THE PUBLIC

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

ADJOURNMENT:

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

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

Janice M. Lohr, RMC
Municipal Clerk
June 25, 2008