

TOWNSHIP COMMITTEE MEETING – JULY 28, 2008

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

ROLL CALL:

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

Also Present: Mr. Kearns, Twp. Solicitor; Township Municipal Clerk, Mrs. Janice Lohr

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 Open Public Meetings Act in the following manner. Written notice has been mailed to the Burlington County Times and the Courier Post and has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

RESOLUTION 2008-97

RESOLUTION TO AMEND 2008 MUNICIPAL BUDGET

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.

RESOLUTION 2008-97

RESOLUTION TO AMEND 2008 BUDGET

WHEREAS, the local municipal budget for the year 2008 was approved on the 19th day of May, 2008 and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget, now therefore;

BE IT RESOLVED, by the Township Committee of the Township of Delanco, County of Burlington, that the following amendments to the approved budget of 2008 be made:

<u>Anticipated Revenues</u>	<u>From</u>	<u>To</u>
1 Surplus Anticipated	\$530,000.00	\$430,000.00
Total Surplus Anticipated	530,000.00	430,000.00
3 Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations:		
Consolidated Municipal Property Tax Relief Aid	0.00	184,324.00
Total Section B: State Aid Without Offsetting Appropriations	361,324.00	545,648.00
3 Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Other Special Items:		
Liquidation of Interfund Receivables	0.00	100,000.00
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Other Special Items:	1,700,000.00	1,800,000.00
Total Miscellaneous Revenues	2,470,690.00	2,755,014.00
5 Subtotal General Revenues (Items 1,2,3 and4)	3,260,690.00	3,445,014.00

6	Amount to be Raised by Taxes for Support of Municipal Budget:		
	Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	2,938,230.21	2,724,446.28
	Total Amount to be Raised by Taxes for Support of Municipal Budget	2,938,230.21	2,724,446.28
7	Total General Revenues	6,198,920.21	6,169,460.28
8	GENERAL APPROPRIATIONS		
(A)	Operations within "CAPS"		
	Legal Services and Costs		
	Other Expenses	90,000.00	70,000.00
	Joint Land Use Board		
	Other Expenses	19,592.00	37,279.00
	Police		
	Salaries and Wages	861,227.00	851,227.00
	Road Repairs and Maintenance		
	Other Expenses	32,577.00	27,577.00
	Public Buildings and Grounds		
	Other Expenses	49,846.00	39,846.00
	Total Operations {Item 8(A)} within "CAPS"	3,269,322.00	3,242,009.00
	Total Operations Including Contingent – within "CAPS"	3,269,322.00	3,242,009.00
	Detail:		
	Salaries and Wages	1,683,395.00	1,673,395.00
	Other Expenses	1,585,927.00	1,568,614.00
(E)	Deferred Charges and Statutory Expenditures – Municipal within "CAPS"		
	Deficit in Operations	0.00	5,271.37
	Total Deferred Charges and Statutory Expenditures – Municipal within "CAPS"	135,044.62	140,315.99
(H-1)	Total General Appropriations for Municipal Purposes within "CAPS"	3,404,366.62	3,382,324.99
(L)	Subtotal General Appropriations {Items (H-1) and (O)}	5,824,395.12	5,802,353.49
(M)	Reserve for Uncollected Taxes	374,525.09	367,106.79
9	Total General Appropriations	6,198,920.21	6,169,460.28

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2008 local municipal budget so amended;

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Burlington County Times in the issue of July 18, 2008, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on July 28, 2008, at 7:30 o'clock p.m..

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 14th of July, 2008.

Recorded Vote:	Ayes	(Hinkle (Templeton (Ouellette	Nays	(Fitzpatrick
			Absent	(Devinney

Motion by Joan Hinkle, seconded by Mike Templeton to adopt Resolution 2008-97 on second reading

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

RESOLUTION 2008-105

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RICHARD AVENUE ROADWAY IMPROVEMENT PROJECT

WHEREAS, the Township Committee of the Township of Delanco recognizes the need for roadway improvements to Richards Avenue located in Delanco Township; and

WHEREAS, funds are available through the New Jersey Department of Transportation's Municipal Aid program.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Delanco, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2009-Delanco Township-00851 to the New Jersey Department of Transportation on behalf of the Township of Delanco.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Delanco and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Delanco Township Committee On this 28th day of July, 2008

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to adopt Resolution 2008-105.

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

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public.

1. Marlene Jass, 4 McCay Way, stated that she sits on the Land Use Board as an alternate and she is concerned about the COAH situation. Mrs. Jass stated that on the New Jersey League of Municipality website; they indicate that they are going to file a lawsuit against COAH and the league is asking other municipalities to join in. Mrs. Jass asked if other municipalities can weigh in on this to show their support to the Governor. The Township Solicitor, Mr. William Kearns stated that the Township can adopt resolutions to support it. Mr. Kearns stated that the League sought towns to contribute \$500.00 to defray the legal costs. Mr. Kearns stated that the suit has been filed and there are actually 12 appeals from COAH by different parties.

Committeewoman Joan Hinkle asked Mr. Kearns if any towns were filing a lawsuit on their own.

Mrs. Jass asked the Township Solicitor, Mr. Kearns; other than resolutions; what other kind of support can towns do? Mr. Kearns stated that you can talk to your legislators.

Committeewoman Kate Fitzpatrick stated that the third round COAH increase will

increase property taxes because it threatens open space and there needs to be a cap for certain municipalities. Ms. Fitzpatrick stated that RCA's should be put back in the regulations. A discussion ensued.

Mrs. Jass suggested a referendum on a ballot. Mrs. Jass stated that she is just trying to think of a way to send the State a strong message. A discussion ensued. Mrs. Jass asked the Township Committee to revisit the \$500.00 donation to the League and look at the long term consequences. Mrs. Jass concluded by stating that she wants the Township Committee to join in and put their comments forward in a formal manner before August 15, 2008.

The Municipal Clerk, Mrs. Janice Lohr asked the Township Solicitor if there was a deadline for the Round 3 Growth Share. Mrs. Lohr stated that they found, looking through construction reports, a warehouse was coded as "all" office space that generated considerably more COAH obligation than its true warehouse space. Mr. Kearns stated that he feels you can make a motion before COAH to have that number modified. Mrs. Lohr also stated that they should make sure the County Park is not included in their calculations. Committeewoman Kate Fitzpatrick asked if Kevin Sheehan was given direction to file an objection to the numbers received from COAH for Delanco. Mayor Ouellette will call Marybeth Lonergan tomorrow and follow up with Kevin Sheehan. Deputy Mayor Mike Templeton stated that Mrs. Lonergan was trying to set up a meeting with the Land Use Board. Mayor Ouellette stated that the joint meeting is scheduled for August 5, 2008.

2. Steve Schofield, 400 Burlington Avenue,

- apologized for not doing his homework; he stated that several months ago the Township Committee released funds for the purchase of the Animal Control Truck, but they are still riding around in the old truck and he hasn't seen the new one
- commented that at the last Township Committee meeting Committeewoman Kate Fitzpatrick read the resignation letter for the Township Administrator, Mr. Steven Corcoran and he noted that the resignation letter posted on the website is not the same as the resignation letter that was read to the public
- questioned whether the non-contractual people contribute anything towards their health benefits

The Township Municipal Clerk, Mrs. Lohr stated that the Township belongs to the New Jersey State Health Benefits Program and under that program when they joined; the requirements stated that all employees be treated equally

- questioned whether the medical coverage for all employees included their spouses and dependents and if they had to pay anything additional for this

The Township Municipal Clerk stated that it is full coverage.

- asked if the benefits could be looked at and changed during the budget process next year

The Township Municipal Clerk, Mrs. Lohr stated that the benefits are not part of the budget process; but are rather considered during the contract negotiation process.

- commented that he saw a picture on the Township Website of Mr. Denton, John Fenimore, Mr. Kiss and Kate Fitzpatrick and wondered where the picture was taken
- Committeewoman Kate Fitzpatrick stated that they met at West Avenue to review the West Avenue site to see why it couldn't be used for a small soccer field

Mr. Schofield asked if there were any other places available or if the space behind the Municipal Building was still being considered for a soccer field.

Deputy Mayor Mike Templeton commented about the 4% raise and stated that it only involves a very small handful of employees that are not represented by collective bargaining units and to have them bare the brunt of some symbolic budget maneuver seemed grossly unfair.

Committeewoman Kate Fitzpatrick stated that the problem is; what do you do; do you continue to give raises and then lay off somebody next year? Would it be better to lower the increase so that they could at least keep somebody part time; it is almost inevitable that it will have to be done. Ms. Fitzpatrick stated that she brought the same thing up last year regarding this particular issue.

A discussion ensued regarding the salaries of Township employees. Mayor Ouellette stated that as they get into the upcoming contracts and seek counsel; it is probably an area that they should explore as far as putting a cap on some of the positions.

3. David Suter, 725 Delaware Avenue, commented on statements made by Committeewoman Kate Fitzpatrick and Deputy Mayor Mike Templeton. Mr. Suter stated that public employees typically have taken better benefits for worse pay. Mr. Suter made a few suggestions; long range strategy about working with total compensation and perhaps seeking outside help from people who have done labor contracts

Committeewoman Kate Fitzpatrick stated that when you sit up here, it is very frustrating because sometimes you have no choice in some of these contracts because of arbitration; it doesn't matter how much your town can afford. Ms. Fitzpatrick stated that she would not have voted for the Police Contract or agreed to it if she had any idea the State was cutting the Township the way they did. Ms. Fitzpatrick further stated that she is sure that there wouldn't be a member on the Township Committee that would have either.

4. Steve Schofield, 400 Burlington Avenue, asked what short term plan they have for the Township Administrator's position. Mr. Schofield asked the Township Committee if they have discussed who is going to take his responsibility. Mayor Ouellette stated that currently the Township Administrator is on vacation and Committeeman Ed Devinney is out of the County; when they return the Township Committee will get together and start to look at it.

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 FOR SUSPENSION OF MUNICIPAL OPEN SPACE TAX

Committeewoman Kate Fitzpatrick stated that she would like to suspend the two cents; she said the Mayor and Deputy Mayor would agree to one cent and if she has to wait for Committeeman Ed Devinney to come back for that vote, and since the budget had no additional amendments and you did pass all those increases; she stated that she thinks that the Mayor and Deputy Mayor should reconsider and waive the two cents for open space this year. Ms. Fitzpatrick stated that she is pleading with them and she will ask again at the next meeting when Committeeman Ed Devinney returns from his vacation, if they don't agree tonight.

Committeewoman Joan Hinkle agreed with Committeewoman Kate Fitzpatrick and stated that the taxpayers need a little breather this year and that the two cents will make a difference.

Mayor Ouellette stated that the year is half over and the Township has already collected one cent from the tax payers and you would have to give the one cent back to the tax payers. A discussion ensued regarding the tax adjustment process.

Deputy Mayor Mike Templeton agreed with the Mayor's proposal of amending the open space tax to one cent and it would zero it out for the remaining two quarters of the year. Mr. Templeton reiterated that the suspension of the open space tax may impact future green acres applications. Mr. Templeton stated that the Township have a dedicated fund for open space, recreation and historic preservation projects. Mr. Templeton stated that the open space tax referendum was passed by the tax payers of the Township and feels it is worthwhile.

Committeewoman Kate Fitzpatrick stated that she feels the open space tax is worthwhile too and she is not against it; she is just asking that the two cents be suspended for a period of a year. Ms. Fitzpatrick stated that legal counsel gave the legal advice that this suspension would not affect anything to do with the Township's application for open space.

Committeewoman Fitzpatrick questioned Deputy Mike Templeton about what the Township has saved the taxpayers money on other than the roof repair to the Mansion and oil tank removal. Ms. Fitzpatrick stated that these funds will be replenished once we receive the monies from FEMA and the grant from the Township insurance. A discussion ensued regarding the open space tax amount.

RESOLUTION 2008-106

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELANCO, BURLINGTON COUNTY, NEW JERSEY, SUSPENDING THE COLLECTION OF ONE CENT OF THE OPEN SPACE, FARMLAND PRESERVATION, HISTORIC PRESERVATION AND RECREATION TAX FOR 2008.

Motion by Mike Templeton, seconded by Mayor Ouellette to suspend the open space tax amount by one cent under Resolution 2008-106

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

The Municipal Clerk, Mrs. Janice Lohr stated that the motion does not carry.

2. STATUS OF ADOPTION OF 2008 MUNICIPAL BUDGET

Mayor Ouellette stated that since the Open Space Tax Resolution was not adopted this evening, that the Township Committee would wait until the August 4, 2008 Township Committee Meeting to have another vote on that resolution before it is sent up to the State with the adopted 2008 Municipal Budget.

Committeewoman Joan Hinkle announced that there will be a farewell luncheon for the Township Administrator, Mr. Steven Corcoran on Wednesday, August 20th at noon at the Zurbrugg Mansion and invited everyone to attend.

ADJOURNMENT:

Motion by Joan Hinkle, seconded by Mike Templeton to adjourn the meeting.

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

Janice M. Lohr, RMC
Municipal Clerk
July 28, 2008