

**TOWNSHIP COMMITTEE MEETING – JANUARY 9, 2006**

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

**ROLL CALL:** Devinney, absent; DiCarlo, present; Hinkle, present; Ouellette, present; Fitzpatrick, present

**Also Present:** Twp. Administrator, Mr. Steven Corcoran; Twp. Engineer, Mr. Jay Kruse; Twp. Solicitor, Mr. Douglas Heinold; Municipal Clerk, Mrs. Janice Lohr; Deputy Municipal Clerk, Karen Zimmermann; Chief of Police, Chief Parsons

**FLAG SALUTE**

Mayor Fitzpatrick 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 3, 2005 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

Mayor Fitzpatrick called for a moment of silence for Mr. Michael Livengood, Superintendent of Delanco Schools, for the passing of his mother.

**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.”)

**RESOLUTION 2006-20**

**RESOLUTION AUTHORIZING THE AMOUNT OF THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, there exists the need for alcohol and drug testing services as required by law; and

WHEREAS, Commerce Risk Control Services has the knowledge and expertise to coordinate drug and alcohol testing services; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the amount of this contract for the contract year is anticipated to be below the bid threshold of \$17,500 for purposes of competitive bidding; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that a resolution authorizing the award of contracts for “professional services” without competitive bids and contracts must be available for public inspection; and

WHEREAS, the Township has certified that this meets the statute and regulations governing the award of said contracts.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, county of Burlington and State of New Jersey that:

Section 1. The Mayor and Township Clerk are hereby authorized and directed to execute the agreement with Commerce Risk Control Services for alcohol and drug testing services subject to review of the rate schedules and approval by the Township Committee as to the respective contract.

Section 2. This contract is awarded without competitive bidding as a

“Professional Service” under the provisions of the Local Public Contracts Law because it is a recognized profession under the laws of the State of New Jersey, and therefore, not possible to obtain competitive bids.

Section 3. The maximum amount of the contract for Alcohol and controlled substances testing is \$58.00 per CDL holder or other participants. Said funds are available in the respective appropriation within the Township temporary budget and have been certified by the Local Finance Officer.

Section 4. Notice of said action shall be published in the Burlington County Times as required by law.

#### **RESOLUTION 2006-21**

#### **RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL SOLID WASTE/RECYCLING SERVICE CONTRACT WITH THE COUNTY OF BURLINGTON FOR THE PROVISION OF SOLID WASTE/RECYCLING SERVICES**

**WHEREAS**, in accordance with the provisions of the New Jersey Solid Waste Management Act, N.J.S.A. 13:E-1 et seq. and the Burlington County District Solid Waste Management Plan (the “Plan”) adopted pursuant thereto, the Burlington County Board of Chosen Freeholders (the “County”) has developed, implemented and financed a solid waste management system (the “Solid Waste System”) to provide the processing, disposal and recycling of all solid waste generated within Burlington County; and

**WHEREAS**, the County has determined to provide for continued use of its Solid Waste system by the Township of Delanco at a guaranteed cost; and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A.40A:11-1 et seq., the Township of Delanco may enter into an agreement with the County without public advertising for bids and bidding therefor; and

**WHEREAS**, pursuant to the Interlocal Services Act, N.J.S.A.40:8A-1 et seq., the Township of Delanco may enter into an agreement with the County for the provision of solid waste services by the County and for any term agreed upon by the parties; and

**WHEREAS**, the Township of Delanco has determined that it desires to participate and utilize the County’s Solid Waste System

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

Section 1. The Mayor of the Township of Delanco is hereby authorized and directed to execute a Municipal Solid Waste Service Contract with the County of Burlington, which Agreement shall be deemed a part hereof as if fully set forth herein, with such changes thereto as are approved by the Township Committee of the Township of Delanco.

Section 2. The Township Clerk is hereby authorized and directed to attest to the signature of the official of the Township of Delanco named in Section 1 hereof, and to affix on the execution counterparts of the Agreement, the official seal of the Township of Delanco.

Section 3. This Resolution shall take effect immediately.

#### **RESOLUTION 2006-22**

#### **APPOINTING MAYOR'S SUBSTITUTE AS A CLASS I MEMBER OF THE JOINT LAND USE BOARD PURSUANT OT N.J.S.A. 40:55D**

**WHEREAS**, N.J.S.A. 40:55D provides that the term of the member composing Class I shall correspond to the mayor’s or manager’s official tenure, or if the member is

the mayor's designee in the absence of the mayor, the designee shall serve at the pleasure of the mayor during the mayor's official tenure.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington, that the Township Committee does hereby recognize the Mayor's designee as the Class I member of the Joint Land Use Board, in accordance with the Mayor's schedule, as Marlene Jass for 2006.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Solicitor and Secretary of the Joint Land Use Board.

### **RESOLUTION 2006-23**

#### **2005 BUDGET RESERVE TRANSFERS**

WHEREAS, there are certain 2005 budget appropriation reserves of the Township of Delanco which are insufficient to meet the requirements of the Township affairs; and

WHEREAS, there are certain other budget appropriations where there are unexpended balances which will not be used for such; and

WHEREAS, N.J.S.40A:4-58 provides for the transfer from such accounts the unexpended balances to those accounts which are short.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made among the following accounts:

TO:

Administration – OE	\$ 400.00
Joint Land Use Board – OE	1,000.00
Computerized Data Services – OE	332.50
Public Bldg & Grounds – OE	1,508.24
Police – S&W	5,636.41
Street & Roads - OE	598.25
Animal Control – OE	421.74
Utilities – Telephone	1,369.53
Utilities – Telecommunications	460.17
Utilities – Gas & Electric	4,785.47
Utilities – Gasoline & Diesel	<u>1,864.21</u>
Total	\$ 18,376.52

FROM:

Engineering - OE	\$ 11,726.84
Social Security	4,305.51
Vehicle Maintenance – OE	479.96
Uniform Construction Code – OE	<u>1,864.21</u>
Total	\$ 18,376.52

### **RESOLUTION 2006-24**

#### **REFUND OF CERTIFICATE OF HABITABILITY APPLICATION FEE**

WHEREAS, Jane Furman has submitted an application and fee for a Certificate of Habitability inspection for the sale of Block 1205, Lot 8 (339 Willow Street – two units); and

WHEREAS, Mrs. Furman has indicated that said property was not sold; and  
WHEREAS, notification was made prior to any inspections or fees being incurred  
by the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the  
Township of Delanco that the Treasurer be authorized to refund and send a check in the  
amount of \$130.00 to:

Jane Furman  
224 Maple Ave  
Delanco, NJ 08075

**RESOLUTION 2006-25**

**REFUND OF CONSTRUCTION PERMIT OVERPAYMENT**

WHEREAS, the Construction Code Official has determined that the following has  
overpaid on Construction Permit Number 2005-019; and

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

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

Ryan Homes  
1451 Highway 34  
Farmingdale, NJ 707727  
Amount: \$41.00

**RESOLUTION 2006-26**

**REFUND OF 2005 TAX OVERPAYMENT**

WHEREAS, the Tax Collector has determined that the following has overpaid  
2005 taxes; and

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

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

Block 1303                      Countrywide Tax Service Corp  
Lot 5                                PO Box 10211 SV-24  
    Van Nuys, CA 91499-0211  
Amount: \$1,486.53

**RESOLUTION 2006-27**

**APPOINTING FUND COMMISSIONER – JOINT INSURANCE FUND**

WHEREAS, the Township Committee of the Township of Delanco has resolved  
to join the Burlington County Municipal Joint Insurance Fund; and

WHEREAS, the Bylaws of the Burlington County Municipal Joint Insurance  
Fund require that each Municipality appoint a Fund Commissioner; and

WHEREAS, the Township Committee of the Township of Delanco recommends  
the appointment of Steven Corcoran as Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the  
Township of Delanco, County of Burlington and State of New Jersey that it does hereby  
appoint Steven Corcoran as Fund Commissioner for the Burlington County Municipal  
Joint Insurance Fund for 2006.

**RESOLUTION 2006-28**

**APPOINTING FUND COMMISSIONER – MUNICIPAL EXCESS LIABILITY JIF**

WHEREAS, the Township Committee of the Township of Delanco has resolved to join the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Bylaws of the Municipal Excess Liability Joint Insurance Fund require that each Municipality appoint a Fund Commissioner; and

WHEREAS, the Township Committee of the Township of Delanco recommends the appointment of Steven Corcoran as Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that it does hereby appoint Steven Corcoran as Fund Commissioner for the Municipal Excess Liability Joint Insurance Fund for 2006.

**RESOLUTION 2006-29**

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Governing Body of the Township of Delanco has resolved to join the Burlington County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the bylaws of said Fund require that each Municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicated a fee not to exceed six percent (6%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco that it does hereby appoint Robert H. Jenkins of the Barclay Group as its Risk Management Consultant in accordance with 40A:11-5; and

BE IT FURTHER RESOLVED that the Township Committee is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5(1),(a),(i).

**RESOLUTION 2006-30**

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

WHEREAS, the Governing Body of the Township of Delanco has resolved to join the Municipal Excess Liability Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the bylaws of said Fund require that each Municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicated a fee not to exceed six percent (6%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

WHEREAS, the judgmental nature of the Risk management Consultant's duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco that it does hereby appoint Robert Jenkins of the Barclay Group as Risk Management Consultant in accordance with 40A:11-5; and

BE IT FURTHER RESOLVED that the Township Committee is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5(1),(a),(i).

**PAYMENT OF BILLS**

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$491,118.03
PAYROLL	96,045.94
CAPITAL	975.78
TRUST	12,007.75
HOUSING TRUST	4,630.79

**GENERAL ACCOUNT – JANUARY 9, 2006**

22083	AMERICAN LEGION AUZ UNIT 146	385.00
22084	ARCH WIRELESS	186.21
22085	BURLINGTON COUNTY MCPL JIF	67,648.00
22086	BELMONT & CRYSTAL SPRINGS	88.95
22087	COMCAST	155.00
22088	CINTAS CORP	187.65
22089	COUNTRYWIDE SERVICES CORP	1,486.53
22090	DELANCO TWP BOARD OF EDUCATION	368,211.00
22091	DELANCO FIRE COMMISSIONERS	17,666.67
22092	DELANCO PUBLIC LIBRARY ASSOC	2,958.67
22093	DELANCO SEWERAGE AUTHORITY	871.17
22094	DELAGE LANDEN FINANCIAL SERV	159.25
22095	FOSTERS HARDWARE INC	10.96
22096	FITZGERALD & CO	451.25
22097	JANE FURMAN	130.00
22098	INVERSO & STEWART	5,000.00
22099	LOWTHERS SMALL ENGINE INC	7.00
22100	MYRAS AMAZING PUPPETS	750.00
22101	LENORE MORAIS	100.00
22102	MILL RUN CLEANERS & TAILORS	157.00
22103	NJ AMERICAN WATER CO	226.39
22104	NJ STTE LEAGUE MUNICIPALITIES	395.00
22105	NJ CONFERENCE OF MAYORS	295.00
22106	PEDRONI FUEL CO	3,666.20
22107	PITNEY BOWES	168.00
22108	PSE&G	4,785.47
22109	PLJ SAFETY SUPPLY CO	1,500.00
22110	PJ CARRAFA INSPECTIONS	660.00
22111	KATHLEEN QUINN	61.43
22112	RIVERSIDE NAPA AUTO PARTS	201.85
22113	RADOMICKI ATHLETIC DEPT	218.00
22114	RENWICK & ASSOCIATES	6,675.00

22115	RYAN HOMES	41.00
22116	STEWART BUSINESS SYSTEMS	161.14
22117	TERMINIX INTERNATIONAL	147.00
22118	TREASURER, STATE OF NJ	1,070.00
22119	TOWNSHIP OF DELRAN	421.74
22120	TAYLOR DESIGN GROUP INC	863.75
22121	VERIZON WIRELESS	200.45
22122	VERIZON CABS	363.81
22123	VERIZON	128.31
22124	WOOLMAN BROTHERS NURSERY LLC	675.00
22125	W B MASON INC	341.96
22126	XTEL COMMUNICATIONS INC	1,241.22
<b>TOTAL</b>		<b>\$491,118.03</b>

**CAPITAL**

1465	BRUCE GOEHRINGER	80.53
1466	CLC LOCKSMITHS	895.25
<b>TOTAL</b>		<b>\$975.78</b>

**CURRENT**

22076	PAYROLL ACCOUNT	33,354.62
22077	PAYROLL ACCOUNT	26,829.34
22079	JANICE M. LOHR	182.88
22080	PETTY CASH-ADMINISTRATIVE	510.21
22081	PAYROLL ACCOUNT	35,861.98
22082	PETTY CASH (POLICE/ADMIN)	700.00
<b>TOTAL</b>		<b>\$97,439.03</b>

**HOUSING**

113	T H P INC	4,630.79
<b>TOTAL</b>		<b>\$4,630.79</b>

**TRUST**

1775	DILWORTH PAXSON LLP	203.00
1776	TAYLOR DESIGN GROUP INC	2,666.25
1777	BIRDSALL ENGINEERING INC	9,138.50
<b>TOTAL</b>		<b>\$12,007.75</b>

**PUBLIC DEFENDER TO PUBLIC DEFENDER**

1026	PAYROLL ACCOUNT	324.48
<b>TOTAL</b>		<b>\$324.48</b>

**APPROVAL OF CONSENT AGENDA**

Motion by Joan Hinkle, seconded by Jackie DiCarlo to approve the consent agenda.

**Roll Call:** Devinney, absent; DiCarlo, yes; Hinkle, yes; Ouellette, yes; Fitzpatrick, yes

## **DISCUSSION ITEMS:**

### **1. FEASIBILITY STUDY FOR REGIONAL SOLID WASTE COLLECTION SERVICES**

- The Township Administrator, Mr. Steven Corcoran, asked the Township Committee if AVR could do a feasibility study for solid waste collection services at no cost to Delanco Township (Regional study with Beverly and Edgewater Park)
  
- Mayor Fitzpatrick stated that they would review the information received from Kent Pipes and have the solicitor review the data and put this on the agenda for discussion at the next Township Committee Meeting on January 23, 2006. A discussion ensued.
- Mayor Fitzpatrick stated that the Township Committee should review the sex offender information that was submitted by the Township Solicitor, Mr. Douglas Heinold.
- Mayor Fitzpatrick stated that there were two open alternate positions on the Joint Land Use Board and the Township Committee interviewed them tonight. Mayor Fitzpatrick stated that they were appointed tonight; Ken Pawline as Alternate #2 and Terri Mader as alternate #3.
- Mayor Fitzpatrick stated that there are other open positions for the Shade Tree Commission, Recreation Commission and Sewerage Authority. If anyone is interested, they should submit a letter of interest to the Township Committee.

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

Mayor Fitzpatrick opened the meeting to the public.

1. Steve Schofield, 400 Burlington Avenue, stated that he received a letter from Randy Johnson requiring a fire inspection of his rental property and asked the Township Committee if they were aware of it. Mr. Schofield stated that he felt this was double inspection of his property and that he would be paying twice for the same inspection. A discussion ensued.
2. Jack Hoefle, 44 Pennington Court, stated that the Homeowner's Association at Newton's Landing received a letter from Randy Johnson regarding the public meeting room in the clubhouse. Mr. Hoefle questioned:
  - Land swap between the Township and the County regarding the path along Rancocas Creek
  - concerned about barrels along Rancocas Creek and asked who is responsible for their clean up
3. Marlene Jass, 4 McCay Way, asked about the reduction of assessments for the COAH housing elements. Mayor Fitzpatrick explained that she is conferring with the solicitor and tax collector to analyze the request from Kent Pipes. Ms. Jass asked the Township Committee to consider this considering the size of the Township and that there are several more COAH housing units coming into town.

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

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

### **CORRESPONDENCE –**

The Municipal Clerk stated that there was nothing additional to report.

## **COMMENTS – PROFESSIONALS**

### **Township Solicitor – Mr. Douglas Heinold**

- Township responsibilities regarding Enterprise Drive are fulfilled, but NVR hopes to complete their side by January 16, 2006
- closing date for closing of Dietz and Watson deal with Albert E. Price is scheduled for January 16, 2006
- has closing documents regarding the sale of the old Municipal Building and reported that the closing is scheduled for Saturday, January 14, 2006

### **Township Engineer – Mr. Jay Kruse**

- given verbal approval on plat for Enterprise Drive for transfer on January 16, 2006
- forwarded correspondence to DOT for the Burlington Avenue to Bend to Cooper Street project for street lighting
- forwarded RFP language for Pine Street soliciting professional design and construction inspection services and are waiting for their reply
- Improvements to Perkins Lane project via DOT's Municipal Aid Program award of \$115,000 that has to be into construction bidding within twelve months after the award date
- received information from DOT that the transportation enhancement grant for Phase III of the Streetscape project did not receive any grant money
- discussed with the Chief of Police and put together sketch for the Willow Street "No Parking Area" in preparation for developing an ordinance for first reading at the next Township Committee Meeting

## **COMMENTS – TOWNSHIP ADMINISTRATOR**

### **Mr. Steven Corcoran**

- closing on the old Municipal Building to be held Saturday, January 14, 2006 and reminded everyone to remove their belongings
- Township Committee has been reviewing the expenses charged for professional services and expense items

## **COMMENTS – DEPARTMENT HEADS**

### **Chief of Police – Chief Parsons**

- asked the Township Committee if they would approve the reserved parking sign for a resident on Holly Street

The Township Solicitor, Mr. Douglas Heinold stated that he would work with the Municipal Clerk to develop the verbiage for Resolution 2006-31 reserving a parking space on 304 Holly Street.

Motion by Joan Hinkle, seconded by Jackie DiCarlo to adopt Resolution 2006-31.

**Roll Call:** Devinney, absent; DiCarlo, yes; Hinkle, yes; Ouellette, yes; Fitzpatrick, yes

- asked the Township Committee for the status of the placard for the rental units regarding the amount of people renting the unit – The Township Administrator replied that they are working on the verbiage for the placard and the rental registration procedures including trash and recycling

Steve Schofield, 400 Burlington Avenue, commented about a reinspection for a change in occupancy, and stated that he specifically asked the Township Committee this question

and they told him that he read it wrong. Mr. Schofield stated that the Committee said there would only be one inspection per year.

Mayor Fitzpatrick asked Chief Parsons if the Police Department was enforcing the snow removal law for parking lots; specifically the handicap areas. A discussion ensued regarding snow removal for sidewalks and streets.

**Municipal Clerk – Mrs. Janice Lohr** – Nothing to report

#### **COMMENTS – TOWNSHIP COMMITTEE**

**Fern Ouellette** –

- reported that there is a mad painter going around town painting the school, fences and street signs

**Jackie DiCarlo** -

- reported that the Historic Preservation Board is continuing to work on projects
- requesting a line item in the budget for the Historic Preservation Board

**Joan Hinkle** –

- announced that the Sewerage Authority is going to have an exciting meeting tomorrow night
- commented that the Sewerage Authority reorganization meeting is in February and announced that there is one opening on the Sewerage Authority and any interested parties should submit a letter to the Municipal Clerk who will pass them on to the Township Committee that does the appointments
- questioned when the monuments would be moved

**Mayor Fitzpatrick** –

- wished everyone a Happy New Year

Motion by Mayor Fitzpatrick, seconded by Joan Hinkle to appoint Ken Pauline as Alternate #2 and Teri Mader as Alternate #3 to the Joint Land Use Board.

**Roll Call:** Devinney, absent; DiCarlo, yes; Hinkle, yes; Ouellette, yes; Fitzpatrick, yes

The Municipal Clerk, Mrs. Janice Lohr, administered the Oath of Office for the Joint Land Use Board to Ken Pawline and Marlene Jass.

Motion by Joan Hinkle, seconded by Jackie DiCarlo to adjourn the meeting.

**Roll Call:** Devinney, absent; DiCarlo, yes; Hinkle, yes; Ouellette, yes; Fitzpatrick, yes

Janice M. Lohr, RMC  
Municipal Clerk  
January 9, 2006

