

TOWNSHIP COMMITTEE MEETING – FEBRUARY 9, 2009

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

ROLL CALL: Devinney, present; Hinkle, present; Jass, present; Templeton, present; Fitzpatrick, present

Also Present: Mr. Schwab, Acting Twp. Administrator; Mrs. Lohr, Twp Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Lt. George Sacalis, Police Department; Mr. Goffredo, Code Enforcement Officer; Michelle Taylor, Township Planner

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 Open Public Meetings Act in the following manner. Written notice has been mailed to the Burlington County Times and the Courier Post and published in the January 5, 2009 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

****PROCLAMATION – “READ ACROSS AMERICA”**

Mayor Fitzpatrick encouraged members of the Township Committee as well as the public to read to the students in the Delanco Township schools on this special day. Mayor Fitzpatrick read the proclamation to the public.

WHEREAS, the citizens of the Township of Delanco stand firmly committed to promoting reading as a catalyst for our students’ future academic success, their preparation for America’s jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Township of Delanco has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community’s well being and long-term quality of life; and

WHEREAS, *NEA’s Read Across America*, a national celebration of reading, will be conducted on March 2, 2009, which would have been the 105TH birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, in participation with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW and their local affiliates across the state, to promote reading and adult involvement in the education of our community’s students:

NOW, THEREFORE, BE IT PROCLAIMED that the Township Committee of the Township of Delanco calls on the citizens of the Township of Delanco to assure that every child is in a safe place reading together with a caring adult on March 2, 2009.

BE IT FURTHER PROCLAIMED that this body enthusiastically endorses *NEA’s Read Across America and Read Across America-NJ*, and recommits our community to engage in programs and activities to make America’s children the best readers in the world.

ORDINANCE 2009-2

AN ORDINANCE ADDING CHAPTER 57 ENTITLED “DESIGN GUIDELINES” OF THE ORDINANCES ENTITLED PART II LAND USE PROCEDURES OF THE TOWNSHIP OF DELANCO FOR THE ESTABLISHMENTS OF STANDARDS IN THE DEFINITIONS AND BUILDING STANDARDS

2ND READING BY TITLE ONLY AND PUBLIC HEARING

Mayor Fitzpatrick stated that the Township Planner, Michelle Taylor was present this evening and would give an overview of the changes and suggestions made by the Joint Land Use Board.

The Municipal Clerk, Mrs. Janice Lohr noted for the record that there is a memo in everyone's packet from the secretary of the Land Use Board that this ordinance was deemed consistent with the Master Plan.

Michelle Taylor stated that the purpose of this ordinance as written is to be implemented at the site plan stage in the commercial zones and to be used as guidance for residential properties. Mrs. Taylor stated that as part of the conversation with the planning board; there were some slight amendments made and that is that artificial stone was added as the list of appropriate material to be used and that a section on parking was deleted in 57F permitting some shared parking arrangements and it was deemed that it was more appropriate in the site plan and parking sections of the code. Mrs. Taylor said that this was a combined effort of the Historical Preservation Advisory Board and the Land Use Board to create an ordinance that would be more of an educational tool for homeowners to encourage consistent infill and consistent rehabilitation of structures and encourage compatible infill in the commercial districts as well. Mayor Fitzpatrick added that this was also needed to receive the balance of the Sage Grant from 2006.

HEARING OPEN TO THE PUBLIC

Mayor Fitzpatrick opened the hearing to the public.

HEARING CLOSED TO THE PUBLIC

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

Committeeman Mike Templeton questioned what the grant was. Mrs. Taylor stated that the grant began as a study and ended up being designed guidelines. Mrs. Taylor stated that the grant pays for planning work and it was applied for. Mrs. Taylor explained the function of the Historical Preservation Advisory Board in relation to the Master Plan.

Mayor Fitzpatrick added that part of the grant was for the Master Plan and the creation of ordinances. Mayor Fitzpatrick emphasized that this is simply a guideline.

Mrs. Taylor stated that this is a guideline for residential districts but it requires a waiver to deviations from the site plan ordinance.

Committeeman Mike Templeton stated that he has had a problem with this from the beginning and feels that this is just another layer of obstacles for people that are investing in their properties. Mr. Templeton stated that Mrs. Taylor mentioned that this is a guideline for residential districts but it requires a waiver to deviations from the site plan ordinance for C1, C2 and new lid work zone along Burlington Avenue according to the new Master Plan, and feels that it is just another expense for someone who wants to invest in their home or community.

Committeewoman Marlene Jass thanked everyone that has worked on this Master Plan.

Mayor Fitzpatrick commented that it is a shame that Committeeman Mike Templeton did not make his comments to the Joint Land Use Board when they were working on the Master Plan.

Motion by Marlene Jass, seconded by Joan Hinkle to adopt Ordinance 2009-2

ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, no; Fitzpatrick, yes

ORDINANCE NO. 2009-2

AN ORDINANCE ADDING CHAPTER 57 ENTITLED “DESIGN GUIDELINES” OF THE ORDINANCES ENTITLED PART II LAND USE PROCEDURES OF THE TOWNSHIP OF DELANCO FOR THE ESTABLISHMENT OF STANDARDS IN THE DEFINITIONS AND BUILDING STANDARDS

WHEREAS, the Township Committee of the Township of Delanco ("Township") is dedicated to improving and preserving the appearance of the Township for the betterment of the community;

WHEREAS, the Joint Land Use Board through the Master Plan process and a Smart Future Grant through the State of New Jersey and the Department of Community Affairs has been assigned to create “Design Guidelines” for the community as part of the Master Plan review process; and

WHEREAS, the Township has reviewed existing Code provisions for the Township of Delanco, with regard to existing conditions. The program evaluated existing building siting in zoning districts C-1 and C-2. The revision of the bulk standards with the addition of performance requirements will promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of these neighborhoods. The revisions encourage compatible infill in the existing developed and infill portions of the community.

NOW, WHEREFORE, IT IS HEREBY ORDAINED by the Township Committee of the Township of Delanco as follows:

Section 1

Word Usage and Definitions

Word Usage and definitions governing the chapter shall be located in Zoning (Chapter 110) §110-6.

DEFINITIONS in §110-6:

Alley – A service roadway providing a secondary means of access to abutting property and not intended for general traffic circulation.

Awning and Canopy - A temporary or portable roof-like covering that projects from the wall of a building for the purpose of shielding openings from the elements. All awnings and canopies shall be opaque and under no circumstances shall an awning or canopy let light through.

Infill - The development of new buildings or structures on scattered vacant sites in a built-up area.

Liner building – A liner building is a specialized building parallel to the street, which is designed to conceal an area such as a parking lot or loading dock. These buildings

are often of limited depth, simply detailed and may serve residential uses located at least eighteen (18) inches above grade and commercial uses located at adjacent sidewalk grade.

Primary Street - Provides both land access and movement within residential, commercial and industrial areas. Penetrates and continues through any type of land use.

Rear lane - A private street or easement providing vehicular and service to the rear of individual lots.

Roof line - The juncture of the roof and the perimeter wall of the structure.

Secondary Street - A street where movement is incidental and involves travel to or from a collector or principal street.

Shopfront & Awning commercial structure - A building frontage where the façade is aligned close to the frontage line with the building entrance at sidewalk grade. The building is conventional for retail, office, and residential mixed use. It has substantial window and/or door openings on the first or ground floor and an awning that may overlap the sidewalk to the maximum extent practicable.

Streetscreen - A freestanding wall built along the frontage line, often for the purpose of masking a parking lot from the thoroughfare.

Section 2

Chapter 57. DESIGN GUIDELINES

§57-1. Title.

This chapter shall be known and cited as “Design Guidelines Ordinance.”

§57-2. Purpose

Community stakeholders were surveyed to determine which building forms and places in the community of Delanco were desirable to the community. Based upon the vision sessions, desirable design guidelines were generated which seek to encourage window and door openings, provide surface articulation, determine first floor height in relation to adjacent grade, and create compatible infill and redevelopment that is consistent with the physical forms of architecture defined in the Township’s earliest growth periods at the turn of the 19th Century. The design guidelines are planned to enhance neighborhood character, stabilize value, cultivate historic interest, and foster community pride.

§57-3. Applicability

Applications for site plan approval in the C-1, C-2, and L/W shall conform to the spirit and intent of this chapter. Any deviations from the standards shall be considered waivers similar to deviations from the Site Plan Ordinance.

Existing and infill single and two lot residential developments located in the R-6, R-4, R-1-30, and R-1 Districts shall consider the Design Guidelines a useful tool for design professionals, homeowners, historians, government, and other interested parties.

These guidelines are intended to assist in the appropriate rehabilitation of period structures. This is a recommended approach to additions and alterations to existing structures and compatible development of infill sites.

§57-4. Building Location and Orientation

- A. Lots shall conform to the dimensional requirements of the schedule of area and bulk requirements of the zone district.
- B. Buildings shall be located in relation to the lot lines according to schedule of area and bulk requirements of the zone district. In the case of infill, as defined, lot(s) development front setbacks shall match one or the other of the existing adjacent front yard setbacks for the building, porch and stairs for residential uses.
- C. Lot coverage shall not exceed that shown in the schedule of area and bulk requirements of the zone district.
- D. Facades shall be built parallel to a rectilinear Principal Front Lot Line.
- E. Corner lot buildings and interior lot buildings shall reflect the orientation of entryways to buildings on the principal street and no one building shall deviate from the predominant orientation, except where corner entryways are utilized.
- F. Corner lots, as defined, shall be permitted to reduce the second front yard up to 50% where corner defining elements such as wrap-around porches or corner entryways, and a minimum 25-50% window area are used to enhance the second street façade.
- G. Rear setbacks for outbuildings shall be as shown in the schedule of area and bulk requirements of the zone district.
- H. Commercial building types shall be located not more than 18" above adjacent sidewalk grade and where possible shall be located at adjacent grade. Shopfront and awning shall be as defined and as permitted by the schedule of area and bulk requirements.
- I. Residential buildings shall be located 18" to 60" above the adjacent sidewalk grade where possible.
- J. Buildings shall have their principal pedestrian entrances on a frontage line.
- K. On assembled parcels in excess of 5 acres, a minimum of 25% and a maximum of 66% residential housing floor area shall be provided.
- L. Visitability standards. There shall be provided one zero-step entrance to each commercial building from an accessible path at the front, side, or rear of each building.

§57-5. Building arrangement

- A. Buildings shall conform to the schedule of area and bulk requirements.
- B. Awnings may encroach the public sidewalk without limit. The lowest fabric and structure of the awning must be a minimum of seven (7) feet above the highest adjacent grade.
- C. Stoops may encroach 100% of the depth of a setback.
- D. Balconies and bay windows may encroach up to 25% of the depth of the setback.
- E. Loading docks and services may be accessed by an alley, rear lane, or secondary street when such public ways are available.
- F. Where rear alleys, lanes, and secondary streets are not always available shared loading docks and services areas are permitted along principal lot frontage or primary streets.
- G. Building height shall conform to the schedule of area and bulk requirements.

§57-6. Building Use and Density

- A. Building uses shall conform to the permitted uses described in the District.
 - 1. The actual parking provided to meet the required parking for residential uses shall represent the base residential density permitted.
 - 2. Commercial buildings with a floor area of less than 2,500 square feet shall not be required to provide off-street parking.

§57-7. Parking Standards

- A. Vehicular Parking shall be required as shown at §110-14 except as outlined in subsection 6 above.
- B. On-street parking available along the frontage that corresponds to each lot shall be counted toward the parking requirement of the building on the lot. Where public rights of way including train rights-of-way are located across from the building frontage, on-street parking available along the frontage that corresponds to each lot shall be counted toward the parking requirement.
- C. Parking shall be accessed by an alley, rear lane, or secondary street when such public ways are available and accessible.
- D. Parking lots shall be shielded from the frontage by a liner building or streetscreen, as defined.
- E. All parking areas, including garages, except for driveways shall be located a minimum of 20 feet behind the front lot line.
- F. Public parking facilities, municipal and private, including the NJTransit rail surface lots may be part of any proposed sharing plan.
- G. A minimum of one bicycle rack shall be provided within the public or private frontage for every ten on-street and off-street vehicular parking spaces.

§57-8. Architectural Standards

- A. Building wall material may be combined on each façade only horizontally, with the heavier below the lighter.
- B. Streetscreens, as defined, should be between 3.5 and 5 feet in height and constructed of a material matching the adjacent building façade. Streetscreens over four (4) feet in height should be 33% transparent. The streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than 11.25 feet for an automobile and 6.5 to 8 feet for pedestrian access.
- C. To provide a traditional architectural theme the following are required:
 - 1. All openings, including porches, galleries, arcades and window, with the exception of storefronts, shall be square or vertical in proportion.
 - 2. Pitched roofs, if provided shall be symmetrically sloped no less than 5:12, except that porches and attached sheds may be no less than 2:12 where 3:12 is preferred for porch roof slopes.
 - 3. Flat roofs shall be enclosed by parapets a minimum of 42 inches height, or as required to conceal mechanical equipment to the satisfaction of the Approving Authority.
 - 4. The exterior finish material on all facades shall be encouraged to be brick, wood siding, cementitious fiber siding, or stucco where possible. Original clapboards, fishscale shingles, real or simulated stone masonry, stucco, narrow aluminum or vinyl, wood shingles, and brick are consistent with the finish materials contained on existing buildings. Vertical siding, wide vinyl or aluminum, and staggered butt shingle are not desirable.

5. Trim work such as cornerboards, ornamental trim, keystones, lintels and moldings should be restored, repaired, or replicated where possible to highlight the building.

6. Balconies and porches shall be made of painted wood or metal.

D. The facades on retail frontages shall be detailed as storefronts and glazed with clear glass on the first story shall not be less than 50% and shall not exceed 75% of the of the pedestrian façade(s).

E. Openings above the first story, as defined, shall not exceed 50% of the total building wall area, with each façade being calculated independently.

F. The area of glass shall be calculated by measuring the height from finished grade to the top of the plate and width of the exterior wall of the story, and the amount of glass within that area shall be the area of clear glass.

G. Doors and windows that operate as sliders are prohibited along frontages.

H. Fences, if provided in the front yard setback or first lot layer, as defined, are encouraged to be painted wood or metal. Fences at other layers may be of wood board, vinyl or chain link.

I. Provide safe and easy passage from the public realm into individual buildings. The front doors of all buildings shall be visible from the street. If located more than 10 feet from the front building line, their location must be reinforced with additional graphics, lighting, marquees, awnings or canopies.

J. Buildings with rear facades located at Public Parking lots are encouraged to develop rear entries and create attractive and embellished rear facades. Signage including suspended, wall, and identification signs are encouraged in these secondary entry locations.

K. Provide interest for the pedestrian at the ground level of buildings by limiting unembellished stone walls. Blank walls in excess of 25% of the façade area or 10 continuous feet of frontage of the property shall not be used at the street level. Blank walls must contain architectural relief such as expressive details and murals. Enclosed display windows not seen from the interior of the building are encouraged to be used for pedestrian interest and display space. Blind, reflective, or blacked windows are not permitted.

L. Provide interest for the pedestrian at the ground level of buildings through detailing at close view. All buildings shall provide scale-defining architectural elements or details at the first two floor levels minimum, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns, and balconies.

M. Awnings and canopies may extend a maximum of six (6) feet from the exterior wall of the building. Under no circumstance may any temporary sign, banner, or flag be attached to the bottom of any awning or canopy below a height of 7 feet from grade level of the pedestrian area.

N. All sufficient room for pedestrian passage and additional use of sidewalk such as café tables. Width of the sidewalks shall be maximized within the available right of way. A minimum of 48" of the sidewalk must be clear of any obstruction for the entire length of the property sidewalk.

O. Create shaded sidewalks and vertical landscape throughout the community. Street trees must be provided to the extent that sidewalk and right of way width permits. Selection shall be from the approved list of street trees pursuant to the Site Plan Ordinance §91-8A and shall be consistent with the established landscape palette.

P. The establishment of a continuous street wall, with variety providing in the building width and height. A minimum of one façade element shall align horizontally with adjacent buildings. Façade elements include, but are not limited to, roof tops, cornices, signs, storefront windows, windows above the first floor, and awnings. Awnings are encouraged. There should be a balance between variety and harmony of building facades. Maintain the similarity in building width. New buildings on parcels wider than 40 feet shall incorporate architectural elements which reflect the width of adjacent buildings. Successful methods for achieving this include, but are not limited to, window pattern, detail placement roof lines, and building styles.

Q. Corner buildings shall relate to the activities of the intersection and encourage activity through their design. Appropriate design of the corner shall include one of the following successful patterns:

1. Opening the space at ground level for people to walk around the corner with the building mass above redefining the corner.
2. A recessed entry at the corner such as the familiar angled wall with the entry door.
3. A corner window with an important view into the building.

R. Create pedestrian interest by using materials that relate to the traditional context of the community. Building facades shall incorporate patterned and textured elements that add visual interest to the surface. These elements should be based on materials and patterns that relate to the traditions of community buildings.

S. Provide a safe and appealing nighttime environment for the business area. The design for the proposed façade must consider the appearance of the building in the evening and develop an exterior lighting plan that includes display window lighting, building lighting, and pedestrian-scaled lighting for both buildings and pedestrian areas within the site. Lighting shall be warm in color, with control of glare for the pedestrian.

T. Provide sufficient lighting for safe pedestrian passage in the business area. Adequate lighting must be provided for safety and visibility at night. Project plans must include illumination levels and color rendition of exterior building lighting adjacent to sidewalks.

U. Maintain the existing fabric of historic building facades. Buildings shall incorporate elements of the original façade into the renovation scheme:

V. Do not cover existing original façade details by covering them with panels, signs, or painting them out.

W. Do not alter the shape of existing original openings. If a window must be blocked, maintain its original shape.

X. Restore, where possible, the original façade by removing later additions or materials.

Y. Air conditioning units should not be exposed to the principal street face where possible. When alternative locations are not available air conditioning units shall be placed within the framed storefront area. For example a location over a door is acceptable; however, units may not extend 5" beyond the front building face.

Section 3

Repealer, Severability and Effective Date.

- A. ~~Repealer~~. Any and all Ordinances inconsistent with the terms of

this Ordinance are hereby repealed to the extent of any such inconsistencies.

- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares it intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage and approval in accordance with the law.

Deputy Mayor Joan Hinkle commented that she understands what Committeeman Mike Templeton is talking but that has nothing to do with particular ordinance. Mrs. Hinkle stated that there was an appendix with this ordinance that was about the Historic walk and she thinks that once it is done it will be very helpful.

ORDINANCE 2009-3

DELETING PORTIONS OF CHAPTER 218-1 OF THE TOWNSHIP CODE GOVERNING “PEACE AND GOOD ORDER”

2ND READING BY TITLE ONLY AND PUBLIC HEARING

WHEREAS, the Township Code of the Township of Delanco, at Chapter 218-1.A(1) provides for a disorderly person offense for public alcohol consumption; and

WHEREAS, New Jersey State law, under the 1975 Alcoholism Treatment and Rehabilitation Act, N.J.S.A. 26:2B-1, et seq., preempts public intoxication ordinances; and

WHEREAS, the Township Code, at Chapter 218-1.A(2) attempts to regulate loitering and is unenforceable under a United States Supreme Court ruling; and

WHEREAS, the Township Committee desires to repeal Chapter 218-1.A(1) and (2) in order to comply with the State law.

NOW, THEREFORE, BE IT HEREBY ORDAINED that Chapter 218-1.A(1) and (2) is hereby repealed.

Section One: All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency

Section Two: If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Section Three: This ordinance shall take effect immediately upon final passage and publication according to law.

HEARING OPEN TO THE PUBLIC

Mayor Fitzpatrick opened the hearing to the public.

HEARING CLOSED TO THE PUBLIC

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

Mayor Fitzpatrick stated that the Township Solicitor, Mr. Heinold went over the ordinance; the reason why they are deleting these portions is because they aren't enforceable and could be considered discriminatory.

Motion by Ed Devinney, seconded by Marlene Jass to adopt Ordinance 2009-3.

ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes

****RECOGNITION OF 2008 JIF AWARDS AND OSHA TRAINING COMPLETION**

Mayor Fitzpatrick stated that the Township Committee would like to recognize two JIF awards for training that were awarded to Karen Zimmermann and John Fenimore. Mayor Fitzpatrick also thanked George Sacalis for his participation and commented that it was nice to see Delanco Township's name on the screen for so many awards at the Annual JIF breakfast

Lt. George Sacalis added that he would like to present some of the certificates that were given out at the Annual JIF breakfast. Lt. Sacalis commented on the Bronze Award that Delanco Township received and gave an explanation for the scoring method to achieve this award.

COMMENTS – ACTING TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab
– No comment – just happy to be here

COMMENTS – DEPARTMENT HEADS

Police Department – Lt. George Sacalis

- reported that Eric Hoffman started the DARE program and will have graduation sometime in April

Zoning and Code Enforcement Officer – Mr. Phillip Goffredo –

- has been monitoring the Winzinger property for debris on the road
- notified DEP about the 400 Delaware Avenue property
- dangerous tree on Buttonwood – private removal of tree
- summons issued for 320 Orchard

- received complaints about recycling on 200 Burlington Avenue

Deputy Mayor Hinkle asked if anything has been done about the old sub-station on Pennsylvania Avenue.

- for month of January: received 22 complaints; issued 6 summons; 14 complied out of 22; mailed 3 certified and 5 regular mail

Rental inspections – did one for the Post Office and it failed

Zoning – approved one administrative review – approved two other applications – no applications were denied – no fence applications received

Municipal Clerk – Mrs. Janice Lohr – Nothing to report

COMMENTS – TOWNSHIP COMMITTEE

Ed Devinney –

- after looking over the proclamation tonight; he said the date should be checked because it is different from the supporting document
- personal congratulations to the JIF recipients – was impressed by the JIF presentation at the Annual JIF breakfast
- attended the Shared Services meeting sponsored by the Burlington County Bridge Commission – discussion on development

Joan Hinkle –

- attended the Annual JIF breakfast – program was excellent for safety factors – congratulated George Sacalis and Karen Zimmermann
- visited most of Delanco’s small businesses for the reward program for coupons for recycling participation by the Township residents
- asked for permission from the Township Committee members to go for the grant that the Burlington County Bridge Commission is offering to do the energy audit program grant. It will be a shared expense. – cannot get solar energy grant without first doing and energy audit

Mike Templeton –

- attended the JLUB meeting last Tuesday and made some comments on the Master Plan

Marlene Jass -

- attended her first Annual JIF breakfast and reiterated everyone’s positive comments about it and congratulated all three Township employees that won awards
- attended the Shared Services meeting and the purpose was to show planning boards what developers have to go through in order to get permits before they can begin anything
- attended the DEP meeting regarding environmental infrastructure financing program with local bonding and application and reloading items
- the Historic Preservation Advisory Board is looking into is a protocol for the demolition process – they are also working on a Mr. Diggs exhibit

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:

RESOLUTION 2009-43

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELANCO, BURLINGTON COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION AND IMPLEMENTATION OF RECYCLING CARTS UNDER THE BURLINGTON COUNTY CART PROGRAM

WHEREAS, the Township Committee has determined that it is important to participate in the Burlington County Recycling Cart Program; and

WHEREAS, the Township Committee desires to acquire 48 gallon recycling carts for approximately 305 homes and 64 gallon recycling carts for approximately 400 homes for a total amount not to exceed \$17,000.00; and

WHEREAS, the cost of the carts incurred by the Township will be paid over six years beginning with the first payment (1/6) in 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delanco, in Burlington County, New Jersey, that the Township Committee authorizes the acquisition of Recycling Carts and participation in the Burlington County Recycling Cart Program, consistent with the above.

RESOLUTION 2009-44

CANCELING OUTSTANDING CHECKS FOR MUNICIPAL COURT

WHEREAS, a review of the General Account and Bail Account of the Municipal

Court of the Township of Delanco has indicated that there are several outstanding checks; and

WHEREAS, these checks have all remained uncashed for at least six months from their date of issuance; and

WHEREAS, it the desire of the Municipal Court to stop payment on and turn said money over to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that the outstanding check listed below are hereby canceled and said money be turned over to the Township:

<u>CHECK #</u>	<u>DATE OF CHECK</u>	<u>AMOUNT</u>
General Account		
1353	12/18/06	\$ 1.00
1369	03/13/07	5.00
Bail Account		
1555	3/13/06	272.00
1757	3/25/08	500.00
1758	3/25/08	500.00
1759	3/25/08	250.00

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

RESOLUTION 2009-45

BUDGET APPROPRIATION RESERVE TRANSFERS

WHEREAS, there are certain 2008 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:

Joint Land Use Board OE	616.92
Legal Services OE	<u>1,858.26</u>
Total	<u>\$ 2,475.18</u>

FROM:

Twp Committee – S&W	\$ 616.92
Streets & Roads – S&W	<u>1,858.26</u>
Total	<u>\$ 2,475.18</u>

RESOLUTION 2009-46

REFUND OF TAX OVERPAYMENTS

WHEREAS, the Tax Collector has determined that the following has overpaid taxes for 2008; and

WHEREAS, the following have 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 checks in the following

amount to:

Joyce Ricca
30 River Lane

Delanco, NJ 08075

Block 500 Lot 2 C2230 Amount \$610.53

A. Hollis & William Albanese

34 River Lane

Delanco, NJ 08075

Block 500 Lot 2 C2234 Amount \$542.67

James Cobb

36 River Lane

Delanco, NJ 08075

Block 500 Lot 2 C2236 Amount \$542.67

S&H Abstract Co.

1305 Mt. Holly Road

Burlington, NJ 08016

Block 500.02 Lot 1 C1523 Amount \$106.01

Ashley Fort & Jason Trainor

23 Shad Court

Delanco, NJ 08075

Block 500.02 Lot 1 C1523 Amount \$1,288.83

Group 21 Title Agency

5 Greentree Center Suite 111

Rt. 73 At Lincoln Dr.

Marlton, NJ

Block 1105 Lot 1 (300 Walnut) Amount \$100.00

Legacy Title Agency

185 w. Whitehorse Pk.

Berlin, NJ 08009

Block 500.02 Lot 1 C2914 (14 Teal Ct.) Amount \$651.89

Block 500.02 Lot 1 C2918 (18 Teal Ct.) Amount \$651.89

Wells Fargo Real Estate Tax Service

1 Home Campus MAC x2502-011

Des Moines, CA 50328

Block 500.02 Lot 1 C1819 (19 River Ln) Amount \$730.81

Block 500.02 Lot 1 C1821 (21 River Ln) Amount \$198.42

Citi Mortgage Inc.

PO Box 23689

Rochester, NY 14692

Block 500.02 Lot 1 C1606 (6 Shad Ct) Amount 6,863.29

RESOLUTION 2009-47

APPROVING REQUEST FOR RELEASE OF PERFORMANCE GUARANTEE FOR BLOCK 402, LOTS 1 & 1.02 (JVS PROPERTIES)

WHEREAS, the Township of Delanco has received a request for release of the Performance Guarantees for Block 402, Lots 1 & 1.02 known as JVS Properties; and

WHEREAS, the Township Engineer has inspected said development and has filed a written report, dated February 9, 2009, approving the full release of the performance guarantee, which report is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delanco that the Performance Guarantees for Block 402, Lots 1 & 1.02 is hereby released conditioned upon the posting of Maintenance Guarantees as referenced in the Engineer's letter and required by the Municipal Land Use Law, as well as the payment of all outstanding property taxes and escrows, if any; and

PAYMENTS OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$77,709.26
PAYROLL	37,840.37
TRUST	1,172.79
HOUSING TRUST	750.00

GENERAL ACCOUNT – FEBRUARY 9, 2009

25005	ALL INDUSTRIAL SAFETY PRODUCTS	104.50
25006	WILLIAM ALBANESE & A HOLLIS	542.67
25007	BURLCO MCPL COURT ADMIN ASSN	50.00
25008	CLEAN RENTAL SERVICES INC	249.60
25009	CITIMORTGAGE INC	6,863.29
25010	JAMES COBB	542.67
25011	DELANCO TWP BOARD OF EDUCATION	8,500.00
25012	DEJANA TRUCK & UTIL EQUIP CO	153.24
25013	FED EX	63.36
25014	FITZGERALD & CO	95.00
25015	FIRST AMERICAN REAL ESTATE	1,906.96
25016	FIRST JERSEY MCPL ASSISTANCE	3,200.00
25017	ASHLEY FORT & JASON TRAINOR	1,288.83
25018	GALLS INC	772.53
25019	GROUP 21 TITLE AGENCY	100.00
25020	HULSE & GERMANO ESQS LLC	1,964.25
25021	HERITAGE CLEANERS & TAILOR LLC	132.50
25022	INVERSO & STEWART	7,500.00
25023	LEGACY TITLE AGENCY LLC	1,477.14
25024	MUNICIPAL CLERKS ASSN OF NJ	175.00
25025	PEDRONI FUEL CO	1,707.43
25026	PSE&G	9,542.20
25027	JOYCE RICCA	610.53
25028	SAFETY AUTO REPAIR	1,860.79
25029	SOUTH JERSEY SANITATION	11,231.25
25030	S & H ABSTRACT CO INC	106.01

25031	SIRCHIE FINGER PRINT LABS INC	74.09
25032	TERMINIX INTERNATIONAL	117.00
25033	TREASURER COUNTY OF BURLINGTON	10,582.54
25034	TOWN LINE TROPHIES	615.00
25035	TREASURER-STATE OF NEW JERSEY	1,050.00
25036	THIS & THAT UNIFORMS	328.00
25037	TD BANK NA	880.00
25038	VITAL SERVICES GROUP	313.02
25039	W B MASON CO INC	705.79
25040	WELLS FARGO REAL ESTATE TAX SE	929.23
25041	XTEL COMMUNICATIONS INC	1,363.14
25042	KAREN ZIMMERMANN	11.70

TRUST

2059	CCTS TAX LIENS I LLC	100.00
2060	TAYLOR DESIGN GROUP INC	301.25
2061	HULSE & GERMANO ESQS LLC	60.75
2062	LAND ENGINEERING & SURVEYING	32.50
2063	DELANCO TWP CURRENT FUND	19.44
2064	TAYLOR DESIGN GROUP INC	62.50
2065	PENNONI ASSOCIATES INC	265.60
2066	HULSE & GERMANO ESQS LLC	330.75
TOTAL		\$1,172.79

HOUSING

1039	TAYLOR DESIGN GROUP INC	750.00
TOTAL		\$750.00

APPROVAL OF DEPARTMENT REPORTS (TAX)

Mayor Fitzpatrick commented about the Library payment to the school. The Superintendent of Schools called the Mayor and told her that the payment of \$8,500. was in their budget for 2008 and she has requested that the school zero it out or make it \$1.00 when they are working on their budget for 2009.

APPROVAL OF CONSENT AGENDA

Motion by Joan Hinkle, seconded by Ed Devinney to approve the consent agenda.

ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes

MEETING OPEN TO THE PUBLIC

Mayor Fitzpatrick opened the meeting to the public.

1. Maureen Barrett, 621 Delaware Avenue, commented that she noticed that the Township is using the recycling carts and that is wonderful; questioned whether the schools are going to be using the recycling carts
2. Maureen Barrett stated that she sent a letter to the Historic Preservation Advisory Board requesting a correction to a statement that was made about their property and asked for a timeline for a response.

Deputy Mayor Joan Hinkle reported that on February 19, 2009 Recycle Bank will be

putting the retrofits on the recycling buckets that records how much the Township is recycling.

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 – Municipal Clerk – Mrs. Janice Lohr

- received annual letter from Public Service Electric & Gas Company asking what projects we have coming up and any 2008 projects that are completed so they can finish their work – Township Engineer has copy of letter and he will respond to it
- received a letter from CDBG notifying of a meeting to be held next week for the General Advisory Committee and she will be attending the meeting

Mayor Fitzpatrick stated that she has an item for discussion this evening and that it is the Delanco Township Policy statement. Mayor Fitzpatrick commented that she brought this statement to the Acting Township Administrator and Counsel. Mayor Fitzpatrick read the statement to the public. Mayor Fitzpatrick and the Township Committee directs as follows: that no new hires or replacement hiring shall be made unless and until an adopted budget specifically provides funds for such hiring except for an emergency hiring or replacement; for example to replace a statutorily required employee which hiring shall require review and approval by motion from the Township Committee; no purchases of supplies or services shall be made by employees or from independent boards, commissions and committees whose expenses are paid from the Township budget except for the continuation of current service levels subject to the following procedures; if the cost exceeds \$150.00 specific authorization must be obtained in advance by the Acting Township Administrator; the Administrator will further review all purchases over \$1000. with the Township Committee for their approval before authorizing. This policy does not apply to continuing services such as fuel, utility, phones and existing contracts or expenditure from capital or trust funds where projects have previously been approved. However, all employees and organizations shall take necessary steps to minimize the use of these items. Any questions can be addressed to the Acting Township Administrator, Mr. Richard Schwab.

Motion by Marlene Jass, seconded by Joan Hinkle to adopt Delanco Township Policy Statement dated February 9, 2009.

ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes

ADJOURNMENT

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

ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes

Janice M. Lohr, RMC
Municipal Clerk
February 9, 2009