

TOWNSHIP COMMITTEE MEETING – APRIL 6, 2009

7:30 PM MUNICIPAL BUILDING, 770 COOPERTOWN ROAD., DELANCO, NJ 08075

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

Also Present: Mr. Schwab, Acting Twp. Administrator; Mr. Denton, Twp. Engineer; Mr. Heinold, Twp. Solicitor; Mrs. Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Mr. Fenimore, Supt. of Public Works; Lt. Sacalis, Police Department; Mr. Goffredo, Code Enforcement Officer

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 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.

SPECIAL PRESENTATION – DELANCO SCHOOLS

Walter Bowyer – Interim Superintendent

Mayor Fitzpatrick stated that there would be a special presentation by the Interim School Superintendent, Mr. Walter Boyer regarding the Delanco School Board Budget for the year 2009-2010. Mr. Boyer stated that he wanted to get basic information in the hands of the Township Committee members regarding the proposed school budget. Mr. Boyer stated that the board was able to put together a budget that shows a tax decrease of one cent. The main reason they were able to come in with a tax decrease was due to the additional state aid, budgeting free balance and a good increase in ratables this year.

***ORDINANCE 2009-5**

CALENDAR YEAR 2009

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

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

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

WHEREAS, the Township Committee of the Township of Delanco in the County of Burlington finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$33,823.25 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is

not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Delanco, in the County of Burlington a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Township of Delanco shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$118,381.38 and that the CY 2009 municipal budget for the Township of Delanco be approved and adopted in accordance with this ordinance; and,

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

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

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

2ND READING BY TITLE ONLY AND PUBLIC HEARING

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.

Motion by Marlene Jass, seconded by Joan Hinkle to adopt Ordinance 2009-5

Roll Call: Deviney, yes; Hinkle, yes; Jass, yes; Templeton, absent; Fitzpatrick, yes

***ORDINANCE 2009-6**

ORDINANCE REGULATING STILL PHOTOGRAPHY, VIDEOTAPING AND AUDIO TAPING OF PUBLIC MEETINGS

WHEREAS, the Township Committee has found it necessary in order to protect the rights of the majority of the citizens within the Township and to ensure the unfettered administration and conduct of municipal government to regulate still photography, videotaping and audio taping within municipal facilities, and particularly of public meetings, in such a way as to minimize interference with governmental administration and the conduct of public meetings while still protecting the rights guaranteed under the First Amendment of the United States Constitution and the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*; and

WHEREAS, neither Federal nor State law forbids a municipality from controlling the use of its own property for its lawful and non-discriminatory purposes and preserving the property under its control for the use to which it is dedicated; and

WHEREAS, the State Supreme Court has recognized the public's rights as well as the municipality's rights to regulate video taping or other recording of public meetings in Taurus v. Pine Hill, 189 N.J. 497 (2007), and it is the intent of this Ordinance to comply with the parameters of that precedent.

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

ARTICLE I. DEFINITIONS

As used in this chapter, the following terms shall have the meaning indicated:

- A. Public Meeting- Any gathering whether corporal or by means of communication equipment which is attended by, or open to, all members of a public body, held with the intent, on the part of the members of the body present, to discuss or act as a unit upon the specific public business of that body.
- B. Municipal Facility- Any building owned, leased, or otherwise legally occupied or used by the Township of Delanco in which official municipal business is conducted.

ARTICLE II. STILL PHOTOGRAPHY AND VIDEO TAPING AT PUBLIC MEETINGS.

A. Equipment and Personnel

1. Not more than two (2) portable videotape electronic cameras, operated by no more than one person each, shall be permitted at any public meeting of the Township Committee.
2. Not more than two still photographers utilizing not more than two lenses for each camera and related equipment for print purposes shall be permitted at any public meeting of the Township Committee.
3. Sound and Light Criteria
 - a. Only videotape cameras and audio equipment used in conjunction with the video camera which does not produce distracting sound or light shall be employed to cover public meetings of the Township Committee. Specifically such videotape camera and related audio equipment shall produce no greater sound or light than the equipment designated in Appendix A, annexed hereto, when the same is in good working order. No artificial lighting device of any kind shall be employed in connection with the use of videotape cameras.
 - b. Only still camera equipment which does not produce distracting sound or light shall be employed to cover public meetings of the Township Committee. Specifically such still camera equipment shall produce no greater sound or light than a 35mm Luca "M" Services Rangefinder Camera when used alone or in conjunction with a professional sound muffling device, e.g., the Nikon "bEmp". No artificial lighting of any kind shall be employed in connection with a still camera.
 - c. It shall be the affirmative duty of the individual seeking to videotape a public meeting to demonstrate to the Mayor or his designee adequately in advance of any public hearing that the equipment sought to be utilized meets the sound and light criteria enumerated herein. A failure to obtain advance approval for the equipment prior to each public meeting shall preclude its use at any such meeting.
4. Notice
 - a. Notice shall be given to the Municipal Clerk prior to the close of business of the day prior to the meeting for which an individual is seeking permission to videotape or photograph the public meeting; and if the meeting occurs on a day when municipal offices are closed, prior to close of business on the last business day preceding the meeting for which permission is sought.

- b. Permission to videotape or photograph the public meeting shall be granted on a “first come, first serve” basis, subject to compliance with the provisions contained in these guidelines.
5. Location of Equipment and Personnel
- a. Videotape camera(s) shall be placed in an inconspicuous corner of the meeting room toward the rear. The specific location(s) shall be designated by the Township committee. The area(s) shall provide a generally clear view of the proceedings by the camera. The person videotaping the public meeting shall not move about the meeting room while the public meeting is being held.
 - b. Still camera photographers shall be positioned in an inconspicuous corner of the meeting room toward the rear. The specific location shall be designated by the Township Committee. Still camera photographers shall assume fixed positions within the designated areas and once the photographers are positioned such photographers shall not be permitted to move about in any way as to attract attention through further movement. Still photographers shall not be permitted to move about in order to photograph the public Meeting.
- B. Movement of Equipment During Proceedings**
Videotape and related audio equipment and still camera equipment shall not be placed in or removed from the meeting room except prior to commencement and after adjournment of the public meeting or during a recess.
- C.** Upon the request of a member of the public who desires to discuss a personal matter with the committee, the Mayor may direct that the audio/video taping be interrupted when an audio/video recording could be embarrassing or humiliating if played at a later time.

ARTICLE III. AUDIO TAPE RECORDING OF PUBLIC MEETINGS

In addition to photography and videotape recording of public meetings an individual may tape record a public meeting subject to the restrictions of Article IV and with the following conditions:

- A. Notice shall be given to the Municipal Clerk prior to the close of business of the day the meeting for which an individual is seeking permission to videotape or photograph the public meeting; and if the meeting occurs on a day when municipal offices are closed, prior to close of business on the last business day preceding the meeting for which permission is sought.
- B. The recording device shall be unobtrusive, limited to the size-category commonly known as hand-held, mini-cassette, or standard portable cassette. It shall be placed in an appropriate position and may not be moved in any way as to attract attention.
- C. The recording device shall not produce distracting sound, either from the equipment or its operation. The tape may not be rewound or played back while the meeting is in session.
- D. The Mayor may order that tape recording cease at any time he/she determines that the equipment or its operator is interfering with the proceedings.

ARTICLE IV. PROHIBITIONS

- A. Meetings or portions of meetings which are permitted by law to be closed to the public shall not be videotaped, photographed or audio taped.
- B. During the conduct of a public meeting, including an executive session, photographs may be taken and video and/or audio tape recording made in the corridor immediately outside the meeting room only with the express permission of the Township Committee.
- C. To protect the attorney-client privilege there shall be no audio pickup of conferences which occur at a public meeting or in a public facility between the Township Solicitor or special counsel and any member of the Township Committee, the Municipal Clerk or any officer or employee of the Township.

- D. No recording, whether audio or video, may be used in any court proceeding, nor may same be used to contest the accuracy of the official record of the Township Committee. The recording(s) may not be represented as an official transcript in any manner and/or for any purpose.

ARTICLE V. CEREMONIAL PROCEEDINGS

Permission for all still photography, videotaping and audio tape recording of ceremonial proceedings involving the Township Committee occurring during a public meeting or otherwise must first be obtained from the Township Committee, but will be granted routinely subject to compliance with the foregoing guidelines where applicable. The Mayor may waive the requirements of this Ordinance to allow individuals to capture ceremonial proceedings if deemed in the best interests of the public.

ARTICLE VI. DUPLICATION OF VIDEOTAPES AND PHOTOGRAPHS

- A. Upon completion of videotaping or other recording of a public meeting, the Mayor or Municipal Clerk may request a copy of the videotape or other document and same shall be supplied to the Township. Copies of any videotape duplicated on behalf of the Township Committee shall be retained as required by law and made available to the general public upon request subject to payment of the cost of duplication.
- B. If the Mayor or Municipal Clerk does not request the original videotape for duplication, the individual who made the videotape recording shall maintain the original tape for a period of one year and during that time period shall provide a copy of the videotape, certified to be undeleted and unabridged, to the Township Committee or member of the public upon request for the cost of duplication. Copies of any videotape provided to the Township Committee under this paragraph shall be retained as required by law and made available to the general public upon request subject to payment of the cost of duplication.
- C. The photographer at any public meeting shall maintain the negatives or electronic originals of all photographs taken during a public meeting for a period of one year and shall during that time period, if so requested, provide duplicates of the photographs to the Mayor or Township Clerk or member of the public upon request subject to payment of the cost of duplication. In lieu of providing copies, if so requested, the photographer may provide the negatives or electronic originals of the photographs to the Township Committee. The Township Committee shall retain the photographs as required by law and make available to the general public duplicates of any photographs for which it has either copies or the negatives or electronic originals subject to payment of the cost of duplication.

ARTICLE VII. STILL PHOTOGRAPHY, VIDEOTAPING AND AUDIO TAPING WITHIN PUBLIC FACILITIES

- A. Except as otherwise provided herein with regard to public meetings, no photographs may be taken or audio/video tape recordings made within a public facility of any person, place or event relating to the administration and/or conduct of official municipal business.
- B. No limitations are placed on the taking of photographs or video/audio tape recording on the grounds or environs of the municipal facility or within a municipal facility of persons, places or events which have no relation to, do not arise from, and/or are in no way connect with the administration and/or conduct of official municipal business.

ARTICLE VIII. MUNICIPAL COURTS

Still and television camera and audio coverage of proceedings in the municipal court are governed by the Supreme Court Guidelines.

ARTICLE IX. ENFORCEMENT

The Delanco Township Police Department, as well as the Township Clerk, and during the course of meetings with the Mayor and Township Committee, shall be the enforcement agent of this Ordinance.

ARTICLE X. REPEALER, SEVERABILITY, EFFECTIVE DATE

A. Repealer.

Any and all Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

B. Severability.

In the event that any clause, section or paragraph of this Ordinance is deemed to be invalid for any reason, then it is hereby declared to be the intent of the governing body that the balance of the Ordinance shall remain in full force and effect, the governing body hereby declaring that it would have adopted the remainder of the Ordinance even without the offending provision.

C. Effective Date.

This Ordinance shall become effective upon proper passage in accordance with the law.

2ND READING BY TITLE ONLY AND PUBLIC HEARING

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.

Motion by Joan Hinkle, seconded by Ed Devinney to adopt Ordinance 2009-6

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

COMMENTS – PROFESSIONALS

Township Solicitor – Mr. Douglas Heinold

- regarding Abundant Life Fellowship project proposal relative to zoning: there was an issue raised to clarify the permitted uses; has circulated an ordinance to the Township Committee and Abundant Life and COAH planner – hope to get comments back so that the Township Committee can consider this ordinance for first reading by the next Township Committee meeting scheduled for April 20, 2009

Township Engineer – Mr. David Denton

- regarding the roof drain piping around the Municipal Building; they found five contractors who expressed some interest; of the five submitted; three picked up documents to review; two submitted prices; recommend awarding the contract to the lowest price received – amount is under bid limit so the purchase order can be issued – money will come from balance of the bonding money for the Municipal Building
- prepared to start survey work and prepare plans for Richard Avenue as soon as the Township Committee authorizes it – grant money has to be supplemented and will be discussed in the budget session

COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab

- announced that the second budget workshop will be held on Monday, April 13, 2009

COMMENTS - DEPARTMENT HEADS

Police Department – Lt. George Sacalis

- still researching information for the contact for seniors program
- needs date for JIF for completion of the existing outstanding issues with the Municipal Building parking lot – goal is within 60 days

Public Works – Superintendent – Mr. John Fenimore

- had first brush pick up and it wasn't too heavy
- started rounds throughout the Township in anticipation of leaf pick-up
- reported that there was no storm damage from the winds
- opening day at West Avenue: ball fields are prepared
- questioned whether they are going to have a Hawk Island clean up this year – Mr. Fenimore has Clean Communities money that can be used for the clean up
- DYSA through Clean Communities cleaned up the ball fields at West Avenue and Pearson school – Mr. Fenimore can give them \$300.00 through the Clean Communities
- reported that there is a problem with the banner at the Fire House – have to have a permit from the telephone company to use the telephone poles
- has some dates picked for dumpsters for Town Wide Clean Up – will have dumpsters available at the Public Works Building – picked date of May 9, 2009
- informed the Township Committee that his home was burglarized – wanted to thank the Delanco Police Department especially Adam Tilger and Jess DeSanto for the extra effort in apprehending the suspect

Mayor Fitzpatrick stated that through the recommendation of Chief Parsons, she has submitted Detective Adam Tilger as Lawman of the Year and he will receive recognition for this on April 16, 2009.

Mayor Fitzpatrick commented that DYSA had their opening day on Saturday and it was well attended. Ms. Fitzpatrick stated that 199 children are registered in the softball, baseball and T-ball programs this year. Mayor Fitzpatrick stated that she would like to have the paths cut because it is easier for the children and will make the coach's job easier. The Superintendent of Public Works commented that he will rent a sod cutter to cut the paths.

Zoning and Code Enforcement Officer – Mr. Phillip Goffredo

- February Monthly Report – handled 24 complaints – 20 in compliance – wrote one summons – 4 pending violations – did one rental inspection – approved two permits for zoning
- March Monthly Report – handled 11 complaints – 3 summonses were issued – 4 pending violations – 13 cases were closed – 15 rental inspections certificates issued – 3 zoning permits were approved – 2 zoning permits were denied and sent to the Joint Land Use Board
- situation has arisen involving Pulte Homes and the basins at Newton's Landing – the traps were blocked and the Homeowner's Association cleaned the traps
- commented that 320 Orchard is getting cleaned up – warrant is out – homeowner did not show up for court
- 312 Walnut in court – was postponed because homeowner is getting attorney

Mr. Phillip Goffredo asked to be excused and left the building.

Municipal Clerk – Mrs. Janice Lohr – Nothing to report

COMMENTS - TOWNSHIP COMMITTEE

Ed Devinney –

- attended a budget work shop on March 30th and is looking forward to attending the next one

Joan Hinkle –

- attended the budget work shop and special meeting on March 30th to act on two resolutions
- had meeting with former Mayors and present Mayor and it was quite productive – looking for name for group and decided on Project Mayors – goal is to take on a project each year for the Township – project this year is to do something on West Avenue to make the islands more attractive – will plant tree
- Shade Tree Commission will plant a tree the day after Arbor Day – On Arbor Day, the Mayor and four members of the Shade Tree Commission will travel north to accept the Tree City USA award
- wanted to commend the Delanco Police Department for the wonderful job they did on the burglaries

Marlene Jass –

- attended opening day for DYSA and thanked the Superintendent of Public Works for preparing the fields – it was her first opening day and it was a wonderful day and she looks forward to another year
- the Historic Preservation Commission met last month and they will be changing the display in the Library to the Delanco Township shoe making industry – the Scout display that is in the library will be rotating to the Township building – they are working on a few other things – wanted an update from Lieutenant Sacalis on the ID badges
- reported that the River Route Executive Board will be doing an update that they have to do annually and they will be at the Township Committee meeting on May 4, 2009
- announced that the Boy Scouts are selling plants and mulch at the plant sale
- was nice to see the Community working together on opening day of DYSA – Boy Scouts were signing up for registration and Walnut Street School eighth graders were selling baked goods

Mayor Fitzpatrick –

- attended two Board of Education meetings; one was the presentation of the budget from the finance committee to the full board and the other was the public hearing and she was surprised that there was very little of the public present – School budget will be voted on April 21, 2009 – stated that Phil Jenkins and Eric Hoffman are running for the School Board and there is also a write in candidate; Tom Lewandowski
- had the Mayors meeting and eight Mayors agreed to be part of this meeting and one opted not to do it – they will be starting at the other end of the Township for the West Avenue Islands
- attended the budget work shop
- attended a DYSA meeting and opening day ceremonies for DYSA
- Recreation Commission had their Easter Egg hunt on Sunday
- announced that the Women's Club is holding a Spring Fling – dance at the Knights of Columbus on May 2, 2009 – buffet dinner – live music - \$30.00 per person – all proceeds benefit the Delanco Public Library
- announced that Detective Adam Tilger is Lawman of the Year
- on March 18th she received a letter that the 2009 Clean Communities Entitlement is \$4,529.66
- for the Memorial Day Parade; the Township Committee will march and walk
- received a notice from the Riverside American Legion asked whether Delanco Township will participate in Riverside's Memorial Day Parade on Monday, May 25th at 9:30 AM
- received a special event notice for the local COSTCO where employees, families and friends of all City, County, State and Federal agencies have a day, Friday, April 17th to preview the club and join if you want to

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 2009-61

RESOLUTION HONORING TROOPS AND SUPPORTING “SUPPORT OUR TROOPS DAY” ON APRIL 19, 2009

WHEREAS, the people of this municipality support the New Jersey National Guard and Reserve in the strongest possible terms, are immensely proud of the accomplishments, and are extremely grateful for their services to this State and to the nation over the years; and

WHEREAS, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession by responding to their community and their country in time of need; and

WHEREAS, it is right and proper that we set aside time to honor these fine men and women for the sacrifices they make for every one of us; and

WHEREAS, the New Jersey National Guard State Family Readiness Council is honoring them with a concert by the Blawenburg Band at the National Guard Armory in Lawrenceville on “Support Our Troops Day” on Sunday, April 19, 2009.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Delanco, County of Burlington and State of New Jersey, hereby resolved that it honors these service members and the day of appreciation set aside for them.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the New Jersey National Guard Family Readiness council and the New Jersey League of Municipalities.

RESOLUTION 2009-62

ADOPTING BURLINGTON COUNTY HAZARD MITIGATION PLAN

WHEREAS the Township of Delanco has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed and adopted by the Burlington County Emergency Management Office;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

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

1. The Burlington County *Hazard Mitigation Plan* is hereby adopted as an official plan of the Township of Delanco

Any action proposed by the Plan shall be subject to and contingent upon budget approval, if

required, which shall be at the discretion of the Township Committee of the Township of Delanco, and this resolution shall not be interpreted so as to mandate any such appropriations.

4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Burlington County Office of Emergency Management. The status reports shall be submitted by October 1 of each year.

RESOLUTION 2009-63

APPROVING THE TOWNSHIP OF DELANCO'S APPLICATION FOR FEDERAL DEPARTMENT OF JUSTICE, COPS HIRING RECOVERY PROGRAM (CHRP) GRANT PROGRAM FUNDING

WHEREAS, the Township of Delanco has decided to apply for a COPS Hiring Recovery Program (CHRP) grant to the U.S. Department of Justice as part of 2009 American Recovery and Reinvestment Act; and,

WHEREAS, the Township of Delanco acknowledges and accepts the responsibility of participating in this grant; and,

WHEREAS, the U.S. Department of Justice has made CHRP grants available to assist municipal governments to maintain or supplement their Police forces as appropriate to reduce unemployment in the nation; and,

WHEREAS, the U.S. Department of Justice requires that the municipal officials who sign the application be legally and officially authorized by the appropriate governing body to submit the application and act on behalf of the grant applicant entity as the authorized representatives.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Delanco that this body does hereby authorize participation in the CHRP grant program for the purposes cited above; and

FURTHER designates the Mayor as the authorized representative to sign the application as the top government executive, the Police Chief as the top law enforcement executive, and the Acting Township Administrator to apply for and administer this grant and to act on behalf of the Township with respect to this grant as necessary.

PAYMENT OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$ 819,361.75
PAYROLL	108,177.99
TRUST	19,116.91
HOUSING TRUST	4,272.69
MNCPL OPEN SPACE	5,481.52

GENERAL ACCOUNT – APRIL 6, 2009

25123	BOYSCOUT TROOP 19	300.00
25124	BURLINGTON COUNTY TREASURER	4,667.00
25125	BAUR MUNICIPAL SUPPLIES	210.00
25126	BURLINGTON FARM HOME & GARDEN	257.60
25127	CLEAN RENTAL SERVICES INC	217.78
25128	COURIER POST	209.16
25129	CHERRY VALLEY TRACTOR SALES	172.16
25130	COMCAST	105.21
25131	DELANCO TWP BOARD OF EDUCATION	428,655.00

25132	DELANCO FIRE COMMISSIONERS	24,666.66
25133	DELANCO PUBLIC LIBRARY ASSOC	3,000.00
25134	EIC INSPECTION AGENCY CORP	936.60
25135	GALLS INC	234.24
25136	GOODYEAR TIRE DISTRIBUTIO CTR	335.84
25137	GRAND HOTEL	181.50
25138	GE CAPITAL	339.00
25139	HULSE & GERMANO ESQS LLC	594.00
25140	JENNIFER L ESPOSITO	30.00
25141	LOWTHERS SMALL ENGINE INC	209.97
25142	SUSAN J LANSER	73.00
25143	LAND ENGINEERING & SURVEYING	551.25
25144	MGL PRINTING SOLUTIONS	138.00
25145	JOHN MILLER	602.50
25146	NJ AMERICAN WATER CO	227.25
25147	NJ DIVISION OF FIRE SAFETY	449.00
25148	NJ SHADE TREE FEDERATION	120.00
25149	NJ STATE HEALTH BENEFIT PROG	33,141.51
25150	PEDRONI FUEL CO	2,455.69
25151	PITNEY BOWES	168.00
25152	PSE&G	9,953.00
25153	PAYROLL ACCOUNT	232,196.36
25154	PARKERY MCCAY-ATTORNEYS AT LAW	10,806.59
25155	LISA PASSIONE	105.00
25156	QSCEND TECHNOLOGIES INC	2,979.43
25157	RIVERSIDE NAPA AUTO PARTS	198.90
25158	SOUTH JERSEY SANITATION	11,231.25
25159	SHERWIN WILLIAMS	185.95
25160	STEWART BUSINESS SYSTEMS	158.00
25161	STATE TOXICOLOGY LAORATORY	35.00
25162	TERMINIX INTERNATIONAL	121.00
25163	TREASURER COUNTY OF BURLINGTON	11,119.37
25164	TAYLOR DESIGN GROUP INC	4,734.00
25165	MICHAEL W THOMPSON	602.50
25166	TD BANK NA	30,307.75
25167	VERMEER NORTH ATLANTIC SALES	496.05
25168	VERIZON CABS	366.82
25169	VERIZON	384.94
25170	W B MASON CO INC	131.92
TOTAL		\$819,361.75

TRUST

2075	PENNONI ASSOCIATES INC	4,820.99
2076	HULSE & GERMANO ESQS LLC	1,493.75
2077	BIRDSALL ENGINEERING INC	431.25
2078	TAYLOR DESIGN GROUP INC	10,331.67
2079	LAND ENGINEERING & SURVEYING	260.00
2080	PARKER MCCAY-ATTORNEYS AT LAW	1,779.25
TOTAL		\$19,116.91

MCPL OPEN SPACE TO MCPL OPEN SPACE

1015	PARKER MCCAY-ATTORNEYS AT LAW	2,107.77
1016	LAND ENGINEERING & SURVEYING	3,373.75
TOTAL		\$5,481.52

HOUSING

1042	CLARKE CATON HINTZ	2,094.51
1043	PARKER MCCAY-ATTORNEYS AT LAW	2,178.18
TOTAL		\$4,272.69

APPROVAL OF REQUEST FOR MARRIAGE CEREMONY AT GATEWAY PARK

APPROVAL OF MINUTES – 2/2/09 & 2/9/09

APPROVAL OF BUSINESS LICENSES

2009-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22

APPROVAL OF CONSENT AGENDA

Motion by Joan Hinkle, seconded by Marlene Jass to approve the consent agenda.

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

MEETING OPEN TO THE PUBLIC

Mayor Fitzpatrick opened the meeting to the public.

MEETING CLOSED TO THE PUBLIC

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

CORRESPONDENCE – Municipal Clerk – Mrs. Janice Lohr

• received a letter from the New Jersey Department of Transportation announcing that applications will now be accepted for NJDOT Municipal Aid for Bikeways, Centers and Place, Safe Streets to Transit Village and Transit Programs

A discussion ensued regarding what streets need to be done in the Township.

DISCUSSION ITEMS:

1. LIGHTS FOR BURLINGTON AVE. STREETScape PHASE II

Mayor Fitzpatrick reported that this is the phase II from Vine Street to Union on the side where the old Municipal Building was located. Mayor Fitzpatrick called Public Service to find out the status of the lights and is waiting on the approval for the cost of \$7,000.00. Mayor Fitzpatrick stated that Committeeman Mike Templeton and Committeeman Ed Devinney are doing a study on the street lights and stated that as soon as they know the results of the study, she can call PSE&G and ask them about the process for relocating the street lights to complete the phase.

2. POLICE VIDEO CAMERA

Mayor Fitzpatrick stated that Chief Parsons was supposed to supply the Township Committee with the information regarding the police video camera that was mandated by the State. The acting Township Administrator, Mr. Richard Schwab reported that he has the facts and figures that were supplied by the Police Department and he will provide the Township Committee with the information at the budget meeting.

3. CHANGE DATE FOR MAY MEETING

Mayor Fitzpatrick stated that there is a Township Committee meeting scheduled for May 18, 2009 and two Township Committee members are unable to attend and she would like to cancel the meeting for May or change the date. A discussion ensued. The decision was to cancel the May 18th date and have two meetings in May scheduled for May 4th and May 11th.

4. TOWNSHIP PROPERTY - "THE DUNES"

Mayor Fitzpatrick stated that Committeeman Ed Devinney wanted to discuss the Dunes. Committeeman Ed Devinney commented that the Dunes is a big piece of property and felt that it hadn't been discussed enough and was concerned about the future of the property. A discussion ensued regarding the zoning and the deed for the property. Mayor Fitzpatrick stated that the Township Committee was concerned about West Avenue because the Sewerage Authority has a sewerage line that runs under West Avenue.

Mayor Fitzpatrick asked if there were any comments that the public would like to make regarding the Township property known as the Dunes.

- Phil Jenkins, 415 Third Avenue, as chairman of the Sewerage Authority. Mr. Jenkins stated that the Township Committee owes the Sewerage Authority \$350,000 and they are supposed to make a payment this year of \$150,000. Mr. Jenkins stated that he had a novel idea for the Township Committee. Mr. Jenkins stated that the Sewerage Authority would trade them the money they owe them for the property known as the Dunes. A discussion ensued.

Committeeman Mike Templeton entered the meeting at 8:55 PM.

Deputy Mayor Joan Hinkle stated that she would not like the Dunes to be classified as Green Acres because there were too many pros and cons regarding that designation. Mrs. Hinkle stated that the Dunes is a beautiful piece of property that should be protected.

Committeewoman Marlene Jass stated that this is an important piece of property but she would like to postpone this discussion while they are working on the budget.

Mayor Fitzpatrick stated that she did not want to see any housing on this property and suggested deed restrictions.

Mayor Fitzpatrick asked Committeeman Mike Templeton to forward all his information regarding the Dunes to the Township Solicitor, Mr. Douglas Heinold to review.

- Bill Matulewicz – 737 Franklin Street, member of the Environmental Advisory Board, finds that it is ironic after reading the paper that towns along the Delaware River are fighting for every scrap of open space for recreational purposes that they can lay their hands on. Mr. Matulewicz urged the Township Committee to consider the dunes as a valuable property. Mr. Matulewicz stated that he feels that Green Acres is not as restrictive as they believe.

Mayor Fitzpatrick stated that the Township Committee did approve the bills. However, they are holding all the Taylor Design bills until they review them further.

Committeeman Mike Templeton said he was originally motivated for Green Acres for the Dunes due to the dredging issue. Mr. Templeton stated that this prompted him to do about a two month

research project through the Township archives to determine where the source of ownership is for the Dunes. Mr. Templeton stated that it appears that Delanco Township does have clear ownership to the Dunes all the way to the Delaware River. Mr. Templeton asked the Township solicitor, Mr. Douglas Heinold to confirm his documentation. Mr. Templeton agreed with Mr. Matulewicz that the dunes is truly a valuable piece of property and it would be a shame to lose it.

Mayor Fitzpatrick stated that she feels the Township Committee should put something together so that no future Township Committee can change the restrictions. The Township Solicitor, Mr. Douglas Heinold suggested that the Township Planner, Mr. Scott Taylor review this and develop an overview of how the Township is going to use this property or not use it going forward.

Deputy Mayor Joan Hinkle asked if it was possible to obtain a small grant to have a totally independent study of this property to determine its value and uses.

A discussion ensued with comments from the Township Solicitor and Township Committee members regarding the use and purposes for the dunes and the possible designation for Green Acres. Mr. Heinold stated that it is very difficult process to get a property unlisted from Green Acres.

The Superintendent of Public Works, Mr. John Fenimore stated that the Township Solicitor must first make a clarification of who owns the property. Mr. Fenimore stated that if he was a Township Committee person, he would be more pro-active at the Dunes. Mr. Fenimore stated that there are a lot of passive things that could be done at the Dunes.

The Municipal Clerk, Mrs. Janice Lohr stated that this is a significant piece of waterfront property. Mrs. Lohr stated that we should have a plan for the Dunes and that it is a valuable resource for the residents of Delanco now and in the future.

Committeeman Mike Templeton reported that he attended a meeting for the Economical Advisory Board that met in Florence, New Jersey last week. A representative from the Audubon Society from Cape May, New Jersey was present and gave a presentation. Mr. Templeton stated that the Audubon Society is putting together a driving field guide of destinations for this part of the state. They asked that Delanco Township submit nominations for areas that they feel are important for wildlife observation or getting back to nature. They are looking for towns with amenities for the people to use while they are enjoying nature. Mr. Templeton stated that Delanco has the Hawk Island Area, the Delaware River waterfront, the Rancocas Creek and the Dunes.

Committeeman Ed Devinney commented that he felt this was a positive and useful discussion and that perhaps they could move on a deed restriction and the idea of a gorilla park is good.

Mayor Fitzpatrick stated that she received a letter from the Delanco Shade Tree Commission regarding legislation for contractual tree work in Delanco Township. The Delanco Shade Tree Commission is asking the Township Committee members to adopt this resolution about safe and proper tree practice.

Mayor Fitzpatrick read the resolution to the public.

The Superintendent of Public Works, Mr. John Fenimore expressed his concern about the cost to the residents for professional tree services.

Mayor Fitzpatrick commented that she will have the Municipal Clerk, Mrs. Janice Lohr circulate the information to the Township Committee members and they can discuss the issue again at their work session or next Township Committee meeting.

Mr. Phil Jenkins, 415 Third Street commented on home improvement laws and how the DEP and Government are over regulating us. Mr. Jenkins stated that he does not feel this is a good idea.

Mr. Bill Matulewicz, 737 Franklin Street, stated that this came up as an issue when the Township Committee was entertaining requiring that property owners take care of the street trees. The Shade Tree Commission had concerns about this. Mr. Matulewicz stated that tree work is extremely dangerous. Mr. Matulewicz expressed that it would be in the Township's interest to endorse this resolution.

ADJOURNMENT

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

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

Janice M. Lohr, RMC
Municipal Clerk
April 6, 2009