

TOWNSHIP COMMITTEE MEETING – MAY 11, 2009

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

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

Also Present: Mr. Schwab, Acting Twp. Administrator; Mrs. Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Lt. Sacalis, Police; Steve Walsh; JIF Risk Management

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 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*****

STEVE WALSH, JIF Risk Management Consultant

Mayor Fitzpatrick introduced Mr. Steven Walsh from EJA & Associates, our JIF Risk Management Consultant.

Mr. Walsh stated that everyone was provided with guidelines as far as the insurance requirements for Delanco Township. Mr. Walsh explained the insurance requirements for the use of the Township facilities for a meeting for a resident or civic club.

A discussion ensued regarding the hold harmless agreement in lieu of an insurance policy. Mr. Walsh stated that he would not recommend it. Mr. Walsh stated that there is a program that is part of the Burlington County Joint Insurance Fund where an organization that wants to use the Township facilities can go through insurance brokers and it is called the TULIP program.

Committeeman Mike Templeton commented that the Township may want to open up the Dunes area to public access and asked how that would be affected by insurance coverage. Mayor Fitzpatrick stated that they have a sub-committee that has been established through the Joint Land Use Board. The planner is going to work with them to see exactly what they can do with the Dunes.

COMMENTS – ACTING TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab

- Mr. Schwab commented that the budget introduced will be posted on the Township website and the public hearing is set for June 8, 2009.
- Ivymont Construction will start its work at the Municipal Building on Wednesday joining the downspouts with the PVC pipe with the inlets so it will no longer discharge rain water across the walkways and puddle into the mulch, grass and ground cover.

COMMENTS – MUNICIPAL CLERK – Mrs. Janice Lohr – Nothing to report

COMMENTS - TOWNSHIP COMMITTEE

Ed Devinney – Nothing to report

Joan Hinkle –

• Deputy Mayor Joan Hinkle stated that she had a statement that she would like to read – Mrs. Hinkle would like to formally respond to the recent public statements made by Mr. Templeton regarding the Delanco Women’s Club – Mrs. Hinkle also asked that the statement be a matter of record and part of the minutes:

I would like to formally respond to the recent public statements made by Mr. Templeton regarding the Delanco Women's Civic Club. I would also ask that my statement be a matter of record and part of the minutes.

Mr. Templeton appears to believe that the Women's Club is costing tax dollars because of the very few times we have requested township support for fundraising efforts that ultimately benefit our town. As a forty year member of the Club. I can attest to the many projects that have benefited our taxpayers. It should be noted that the projects we fund typically come from direct request from a township commission or organization.

We purchased defibrulators for the police department, paved the tennis court (which was later converted to basketball courts) purchased the Gazebo at Gateway Park, purchased the seasonal street banners and sponsored youth athletic teams. Over the years we have provided support to Delanco families due to fire, illness, and financial difficulties. They have done much more but too numerous to mention.

I was deeply troubled that an elected committee person would trash this dedicated group at the last public meeting. At one point, he referred to the club members as Moochers. Why Mr. Templeton chose to do this is a real puzzle. At a time when volunteerism is sorely needed, Mr. Templeton would better serve our citizens by working with a group that has six decades of a proven record of community service. Instead he chose to go to great lengths to discredit them.

Despite Mr., Templeton's efforts, the Club will continue to do what it does best —support Delanco and its citizens.

Mike Templeton - Nothing to report

Marlene Jass –

- last week the Historic Preservation Advisory Board met at the Union Avenue triangle and they discussed what they would like to do there as far as signage
- DYSA is moving along with T Ball and had success with the popcorn fund raiser
- reminded everyone that the Memorial Day Parade will be on Sunday, May 24th

Mayor Fitzpatrick –

- Mayor Fitzpatrick stated that she clarified the issues with Meagan Jack of Riverside regarding the Police facility use when they have to make an arrest.
- attended the Historic Preservation Advisory Board meeting at the Union Avenue triangle – they are trying to put an area for a path or brick area with different signage that would direct you to the historic parts of Delanco
- attended the Board of Education meeting – generator issue came up – need to decide what to do with the generator at the school – discussion ensued regarding the generator

- attended the National Day of Prayer at Gateway Park and stated that we are very lucky in the United States to be able to pray anywhere on public land
- received a call from Congressman Adler today that he is trying to set up a Town Meeting and asked if we had a facility in the Township that would be available for a group of people to meet and get something to eat or drink - she suggested Europa Café

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 2009-77
SUPPORTING THE CLICK IT OR TICKET MOBILIZATION FOR
MAY 18 – MAY 31, 2009**

Whereas, there were 592 motor vehicle fatalities in New Jersey in 2008; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – May 31, 2009 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91.75% to 100%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be is resolved that the Township Committee of the Township of Delanco declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 18 – May 31, 2009 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**RESOLUTION 2009-78
TERMINATING CRETAN CONCRETE COMPANY ON WALNUT STREET CURB
AND SIDEWALK PROJECT FOR DEFAULT**

WHEREAS, the Township Engineer, by letter of April 15, 2009, notified Cretan Concrete that it was in Default under Contract #D-2008-1, and specified five justifications for declaration of default as set forth under Subsection 108.17 of the Contract. The letter is attached hereto as Exhibit "A"; and

WHEREAS, the Township Engineer, by letter of May 7, 2009, notified Cretan Concrete that it was in default of the Contract, ordered Cretan to discontinue the work, and directed Liberty Agency Underwriters to complete the work without delay. The letter is attached hereto as Exhibit "B"; and

WHEREAS, the Township Committee of the Township of Delanco desires to formally terminate Cretan Concrete in accord with the Engineer's letters and Cretan's lack of corrective action and continued default.

NOW, WHEREFORE, IT IS HEREBY RESOLVED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey, that Cretan Concrete Company is hereby terminated on Contract #D-2008-1 for the Walnut Street Curb and Sidewalk Reconstruction in accord with the above and the letters attached hereto.

BE IT FURTHER RESOLVED that the Township Administration, Engineer and Attorney are hereby authorized and directed to pursue recourse under the Contract, including through the bonding company, Liberty Agency Underwriters.

BE IT FURTHER RESOLVED that the Township Clerk shall provide a certified copy of this Resolution to Liberty Agency Underwriters and Cretan Concrete Construction.

PAYMENT OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$ 35,980.05
PAYROLL	27,503.24
TRUST	600.00

GENERAL ACCOUNT – MAY 11, 2009

25234	BELMONT & CRYSTAL SPRINGS	51.79
25235	EIC INSPECTION AGENCY CORP	1,764.80
25236	FIRST JERSEY MCPL ASSISTANCE	4,350.00
25237	GALLS INC	170.52
25238	HERITAGE CLEANERS & TAILOR LLC	170.00
25239	KEEP AMERICAN BEAUTIFUL INC	439.75
25240	LOWTHERS SMALL ENGINE INC	70.00
25241	PEDRONI FUEL CO	1,582.01
25242	RIVERSIDE NAPA AUTO PARTS	250.85
25243	SOUTH JERSEY SANITATION	11,231.25
25244	STONE TOWING & FENCE	100.00
25245	TREASURER COUNTY OF BURLINGTON	14,384.11
25246	VERIZON WIRELESS	25.48
25247	XTEL COMMUNICATIONS INC	1,389.49
TOTAL		\$35,980.05

CURRENT

25232	PAYROLL ACCOUNT	27,503.24
TOTAL		\$27,503.24

TRUST

2089	N OR D REMICK	200.00
2090	CCTS TAX LIENS I LLC	400.00
TOTAL		\$600.00

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

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

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

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.

DISCUSSION ITEM:

1. GENERATORS – Mayor Fitzpatrick stated that this issue has already been discussed previously in the meeting.

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
May 11, 2009