

TOWNSHIP COMMITTEE MEETING – JUNE 22, 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, Chief of Police

FLAG SALUTE

Mayor Fitzpatrick led the flag salute.

MOMENT OF SILENCE

Mayor Fitzpatrick asked everyone present to take a moment to recognize the passing of Robert Miller, who donated the land for the present Delanco Township Municipal Building.

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 PRESENTATIONS & DISCUSSIONS:

1. Kevin Watsey, Govt. Affairs Specialist – NJ American Water Company

Mayor Fitzpatrick introduced Mr. Kevin Watsey.

Mr. Kevin Watsey, Government Affairs Specialist for New Jersey American Water Company and Affairs Specialist for Delanco, wanted to talk about two programs his company has to offer.

- program for lower income customers – two programs to help them pay their bills
 - (1) is a grant program that will pay up to \$500.00 in a grant and you can apply once a year
 - (2) discount program where they will take up to 20% off your water bill – recurring discount every month – income qualifications required

Mr. Watsey commented that they have bottled water available for community affairs. Mr. Watsey also commented that they have professionals that are available to go to schools to talk to them about cleaning water.

Committeeman Mike Templeton asked if there was any plan to replace the water main that broke last year under the Rancocas Creek. Mr. Watsey stated that he would look into it and get back to us.

Mr. Watsey stated that they are now an American owned company and are on the New York Stock Exchange.

2. Kevin McLaughlin – Delanco Library

Mr. McLaughlin, president of the Delanco Library Board of Trustees thanked the Township Committee for giving him the opportunity to talk to them this evening about the Library. Mr. McLaughlin pointed out that the Library has received the same funding from the Township for the past couple years. Mr. McLaughlin stated that they will not be able to maintain the same

level of service that they have now if their financial support remains at the level it has for the last three years. Mr. McLaughlin gave a list of comparative statistics for the years 2007 and 2008.

Mr. McLaughlin asked the Township Committee to consider whether or not it wants to maintain the local Township Library that the residents use and support. Mr. McLaughlin stated that if the answer is yes; they ask the Township Committee to look at the level of financial support with the goal of increasing it to allow the Library to operate at a break even level to continue to serve the residents.

Mayor Fitzpatrick stated that the budget has been adopted for this year; however she wanted to know the exact amount the Library was looking for. Mayor Fitzpatrick stated that she has talked to Dietz and Watson and is waiting to hear from them for what funds they can allot to our Library this year.

The acting Township Administrator, Mr. Richard Schwab gave his report on the budget status. Mr. Schwab stated that the budget was introduced last month and there was a public hearing at the last meeting and the budget document was sent to the division of local Government services; in some cases they provide a list of questions and deficiencies. They had two items in question. Mr. Schwab stated that they clarified one. The other was the tax levy cap calculation. Mr. Schwab stated that when the State did their calculations; Delanco was \$5,000 over the cap due to debt service calculations on the sale of the Mansion. Mr. Schwab stated that the Township Committee will be asked to amend the budget at the July 13th meeting in the amount of \$5,000 using surplus to bring the tax levy down to within the cap.

Mayor Fitzpatrick stated that she asked the CFO to prepare the check for the Library a month in advance and asked if they wanted the check tonight. A discussion ensued regarding the check. A Library representative will pick the check up tomorrow at the Delanco Township Municipal Building.

Committeeman Mike Templeton commented that Delanco Library is an association library and it falls outside the state funding statute that requires municipalities to fund the public libraries and asked if they had calculated the amount it would be if they were a municipal library.

3. Proposed Ordinance 2009-8 – Rev. Aubrey Fenton

Mr. Kroclicik, representing Abundant Life gave a summary of what they were trying to accomplish by amending Ordinance 2009-8. Mr. Kroclicik explained that some wordage was left out of the original ordinance and now they are trying to amend this ordinance to have a number of units available to other than affordable housing.

Committeeman Mike Templeton questioned where the 17 units would be located. Mr. Templeton commented that the Township Committee authorized a tax abatement for two of the buildings with Abundant Life in March and asked if any of those excluded units would be in those buildings. Mr. Templeton commented that there will be a public tax abatement that is going to construction and property that is going to set aside residences for church members. Mr. Templeton stated that he had a problem with this and stated that it didn't seem right.

Rev. Aubrey Fenton commented that 95 units are affordable housing and five units will be for people that have sacrificed and carried that site for the last thirty years to allow them to meet an obligation like this. Mr. Fenton stated that they created this project to have as little impact on

Delanco Township as possible. Mr. Fenton stated that they will maintain their own roads, have their own emergency response and will provide a COAH benefit and bring a new commercial ratable to the Township.

**ORDINANCE 2009-8
AMENDING CHAPTER 110-34.2 GOVERNING THE PLANNED DEVELOPMENT –
AFFORDABLE HOUSING – 2 ZONING REGULATIONS
1st READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR JULY 13,
2009**

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to approve the Ordinance 2009-8 by first reading, title only and set public hearing date for July 13, 2009.

Roll Call: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, no; Fitzpatrick, yes

4. Henry Kent-Smith - Request for Zoning Amendment – Russ Farms

Mr. Henry Kent Smith, on behalf of Russ Farms commented that they are making a presentation tonight on the last undeveloped portion of the Newton’s Landing project. Mr. Smith distributed hand outs to the Township Committee members.

Mr. Smith stated that there is a 3.1 acre parcel that remains. Mr. Smith stated that the original PUD approval was contemplated to permit up to 15,000 square feet of commercial retail development for the property that fronts on Creek Road. Mr. Smith announced that Creigh Rahenkamp is here to walk the Township Committee through their proposal and focus on minor amendments to the existing zone that would permit the development that they are proposing on this property.

Mr. Creigh Rahenkamp stated that back in the mid 1990’s when the development of the Russ Farm was first conceived it was proposed as a continuing care community with independent living and special needs, housing, shops, and doctors offices etc. Mr. Rahenkamp commented that they found that people don’t like driving by assisted living facilities on their way to their independent living houses.

Mr. Creigh Rahenkamp commented that the proposed dwellings will be similar to the units at the Point but they will be a little larger, narrower and thru units. Mr. Rahenkamp also described the landscaping and indicated the placement on his exhibited drawing. Mr. Rahenkamp indicated that two changes would have to be made; increasing the cap and deciding what the setbacks should be from the Township road. Mr. Rahenkamp discussed the COAH requirements and how they could be distributed. A discussion ensued.

Mayor Fitzpatrick asked Mr. Mario Napolitano, 54 Pennington Court, resident of Traditions at Newton’s Landing Homeowner’s Association how they felt about this proposed development project. Mr. Napolitano stated that their concerns are with the COAH units and the noise. However, Mr. Napolitano said that he cannot speak for the entire community.

Joseph Holland, 73 Shipp’s Way, stated that they should have their ducks in order when they go to the Planning Board.

Marty Goldberg, 75 Pennington Court asked if the project is approved; when do they plan construction. Mr. Goldberg asked if it was their intention to maintain the bermed area in an acceptable manor before the construction starts.

Mr. John Rahenkamp gave an explanation for the condition of the property. Mr. Rahenkamp stated that they mowed the field and they will wait to see what happens. Mayor Fitzpatrick told Mr. Rahenkamp that he must mow the fields or he will be fined. Mayor Fitzpatrick stated that she will discuss this with the Code Enforcement Officer, Mr. Phillip Goffredo because she is “tired of the look and these people shouldn’t have to live in that condition.”

Mario Napolitano, 54 Pennington Court commented that the Newton’s Landing HOA has nothing in writing that states that they are responsible for maintaining someone else’s property.

Michael DePadova, 69 Shipp’s Way, expressed his concern about the area entrance way because there is a lot of water that stands there and he is concerned about the mosquitoes.

Frank Klare, 6 Russ Farm Way, expressed his concern with the approach to Newton’s Landing and feels that the proposed development will change that and he feels it is not beneficial to Newton’s Landing.

Jerry Resnick, 83 Pennington Court, questioned the timing for the proposed development. Mr. Resnick felt that this proposed development was a very good thing for Newton’s Landing and for the town and is very much in favor of it.

Mr. Henry Kent Smith gave a synopsis of the proposed development and stated that the development they are proposing now is to front residential units on a Township street similar to other recent developments in the Township.

Mayor Fitzpatrick questioned why they could not make a larger setback similar to the Point as Mr. Frank Klare had mentioned earlier to create more continuity and nicer flow.

Mr. Henry Kent Smith referred to a letter he sent to the Township Committee dated April 24, 2009 and on page 2 there is a letter dated September 27, 2008. Mr. Smith read the part of the letter referencing the language of the ordinance. Mr. Smith stated they want to change the wordage to reflect the change in onsite COAH units; it would be an insert that reads as follows: except for COAH affordable housing units which may be two story or stacked one on top of the other. A discussion ensued regarding the COAH units.

Mayor Fitzpatrick moved this request for zoning amendment to the July 13, 2009 Township Committee meeting.

5. Henry Kent-Smith – Request for Amendment of Developer’s Agreement – Zurbrugg Mansion

Mr. Henry Kent Smith stated that the Mansion has always had the capability of creating a 25th unit and they are asking the Township Committee to amend the redevelopment agreement to permit that 25th unit. A discussion ensued regarding the purchase of the unit.

Motion by Marlene Jass, seconded by Joan Hinkle to adopt Resolution 2009-94 authorizing execution of first amendment to developer’s agreement with Zurbrugg Partnership LLC. The Municipal Clerk, Mrs. Janice Lohr stated that this is on the consent agenda and if you want to vote on it now; you must remove it from the consent agenda. Committeeman Mike Templeton questioned the financial status of the developer’s for the Zurbrugg Mansion.

Mr. Randy Cherkas from Grapevine Development gave an update on their financial status and the timeline plans for construction.

Committeeman Ed Devinney asked for clarification on section 9.5 and 7.5 regarding the COAH units at Creekside. A discussion ensued.

Roll Call: Devinney, no; Hinkle, yes; Jass, yes; Templeton, no; Fitzpatrick, yes

RESOLUTION 2009-94

AUTHORIZING EXECUTION OF FIRST AMENDMENT TO DEVELOPER'S AGREEMENT WITH ZURBRUGG PARTNERSHIP, LLC

WHEREAS, on March 31, 2008, the Township of Delanco (the "Township") entered into Redevelopment Agreement with Zurbrugg Partnership, LLC, (the "Redeveloper") governing the redevelopment of the Zurbrugg Mansion properties, Block 1202, Lots 1.01, 1.02 and 1.03 (collectively referred to as "the Property"); and

WHEREAS, the Redeveloper requested the Township's consideration of additional funding of age-restricted, affordable units within the Mansion, and other revisions to the Agreement in light of the difficult economic conditions, particularly within the real estate market; and

WHEREAS, the parties have negotiated a First Amendment to Developer's Agreement, the most current version of which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delanco that the Township hereby authorizes the Mayor and Township Clerk to execute the First Amendment to Developer's Agreement, in a form substantially similar to the form attached hereto and subject to the final review and approval of the Township Attorney.

COMMENTS – PROFESSIONALS

No professionals were present for comments.

COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab – Gave his report earlier in the meeting

COMMENTS - DEPARTMENT HEADS

Police Department – Lt. George Sacalis

- Officer Hoffman conducted his DARE graduation – 51 students graduated and their names will be posted in the Beverly Bee

Municipal Clerk – Mrs. Janice Lohr – Nothing to report

COMMENTS - TOWNSHIP COMMITTEE

Ed Devinney -

- supported the Library Bake Sale and EMS/Fire Hoagie Sale and thanked all the people for their good work for the Community

- commented that it is great to be back in a Free Country

Mayor Fitzpatrick questioned Committeeman Ed Devinney about having a meeting with the Fire Department and Emergency Squad and asked him to check with Aimee Johnsen, John VanEmburch and Bill Trimble. Mayor Fitzpatrick stated that she will invite them to the next Township Committee meeting.

Joan Hinkle –

- attended the Burlington County Energy Conservation Summit at the Palmyra Cove in Palmyra.- asked the Municipal Clerk if she got the final letter regarding the energy audit - The Municipal Clerk, Mrs. Janice Lohr stated that BPU approval is needed before a contract can be awarded.

- attended the River Advisory Committee at the Commons in Beverly

- contacted the Highway Department because she wants to do something about Bogs Ditch
- thanked the Shade Tree Commission for planting two trees on Center Avenue and two crepe myrtles on West Avenue

Mike Templeton –

- had about 6 ½ hours of County Joint Insurance Fund meetings last week – doing annual renewal for the Township – need to document all the vehicle registrations

Marlene Jass –

- attended the Burlington County Energy Conservation Summit meeting and learned a lot
- attended the River Route meeting at the Beverly Commons – units are still available – they are planning River Route trip along the River line to promote the towns along the route
- received information from the League of Municipalities that Townships can advertise equipment that they have for sale

Deputy Mayor Joan Hinkle asked Lt. Sacalis what they did with the confiscated or stolen bicycles. Mrs. Hinkle also asked Lt. Sacalis if the Police Department planned on using the two bicycles that they have for patrol

Committeeman Ed Devinney commented about his trip to Germany and the fact that they have so many buildings with solar assist.

Mayor Fitzpatrick –

- announced the first free summer concert will be on Thursday, June 25th at the Zurbrugg Mansion – there will be three concerts this year; June 25th, July 16th, and August 20th
- there will be a parade hosted by VFW Post 3020 for troops coming home from Iraq and Afghanistan on July 5th starting at 12:30 PM at the corner of Pavilion and Scott Streets – urged everyone to get a flag and come out and honor our Veterans
- emergency management meeting scheduled for June 29th
- received information regarding the New Jersey recycling money is threatened – residents need to contact their congressmen and senators to let them know that we are against the State keeping our money for the recycling tonnage
- attended the Recreation meeting
- attended the Delanco Township Walnut Street School 8th grade dance – each year the parents and the PTO decorate the Pearson School Gym in a theme that they choose and the students don't know what the theme is until they attend the dance
- attended the 8th grade graduation at Walnut Street School and enjoys this every year because she graduated from this school – extended the Brett Harris Award to Wiley Mitchell
- attended the Veterans Award Ceremony in Westampton – her father and brother received awards and she accepted them on their behalf – several Delanco residents received awards also

Mayor Fitzpatrick asked the Township Committee members is there was anything they wanted removed from the consent agenda. Mayor Fitzpatrick stated that Resolution 2009-94 was already removed earlier in the meeting.

Committeeman Mike Templeton asked to have Resolution 2009-92 and 2009-93 removed from the consent agenda.

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:

ORDINANCE 2009-9

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “AN ORDINANCE OF THE TOWNSHIP OF DELANCO PROVIDING FOR AND DETERMINING THE RATE OF COMPENSATION OF OFFICERS AND EMPLOYEES”

***1ST READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR JULY 13, 2009**

RESOLUTION 2009-82

RESOLUTION AUTHORIZING THE AMOUNT OF AWARD OF CONTRACT FOR PROFESSIONAL SERVICES

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

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

WHEREAS, funds are available for this purpose; and

WHEREAS, the amount of this contract for the contract year is anticipated to be below the bid threshold for purposes of competitive bidding for professional contracts; and

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

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

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

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

Section 2. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because it is a recognized profession under the laws of the State of New Jersey, and therefore, not possible to obtain competitive bids.

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

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

RESOLUTION 2009-89

RESOLUTION ACCEPTING CORRECTIVE ACTION PLAN

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, The Annual Report of Audit of the year 2008 has been filed by the Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Township Administrator has prepared a Corrective Action Plan in connection with the recommendations included in the audit as required; and

WHEREAS, the Township Committee has reviewed said Correction Action Plan; and

WHEREAS, such Corrective Action Plan shall be submitted to and adopted by the Governing Body after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Delanco hereby states that it does hereby accept the Correction Action Plan for the 2008 Audit as prepared and submitted by the Township Administrator of the Township of Delanco and hereby directs that a copy of this resolution and the required Corrective Action Plan be submitted to the Division of Local Government Services to show evidence of said compliance.

RESOLUTION 2009-90

RESOLUTION FOR MEMBERSHIP IN THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Burlington County Municipal Joint Insurance Fund, hereinafter referred to as "Fund", is a duly chartered Municipal Joint Insurance Fund as authorized by NJSA 40A:10-36 et seq., and ;

WHEREAS, the Township of Delanco is currently a member of said FUND. and;

WHEREAS, effective January 1, 2010 said membership will expire unless earlier renewed, and;

WHEREAS, the Governing Body of the Township of Delanco, has resolved to renew its membership.

NOW, THEREFORE, it is agreed as follows:

1. The Township of Delanco hereby renews its membership in the FUND for a three (3) year period, beginning January 1, 2010 and ending January 1, 2013.
2. The Township of Delanco hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operating documents of the FUND as from time to time amended and altered by the Department of Insurance in accordance with the applicable statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Township of Delanco agrees to be a participating member of the FUND for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Township of Delanco in the FUND, the FUND agrees, subject to the continuing approval of the Commissioner of Insurance to accept the renewal application of the Township of Delanco.
5. Executed this 22nd Day of June, 2009 as the lawful and binding act and deed of the Township of Delanco which execution has been duly authorized by public vote of the governing body.

RESOLUTION 2009-91

AUTHORIZING THE APPOINTMENT OF AN INTERIM ACTING TOWNSHIP ADMINISTRATOR AND AUTHORIZING CONTRACT WITH FIRST JERSEY MUNICIPAL ASSISTANCE, LLC

WHEREAS, the Township Committee of the Township of Delanco (hereinafter "Township"), desires to contract for interim Acting Administrator services, and;

WHEREAS, Richard Schwab of First Jersey Municipal Assistance, LLC is currently under contract from January 5, 2009 to June 30, 2009 as Acting Township Administrator for Delanco Township; and

WHEREAS, the Township Committee wishes to retain the services of Mr. Schwab as Acting Township Administrator for an additional period from July 1, 2009 to December 31, 2009, and;

WHEREAS, this individual will work as an independent contractor and not as an employee of the Township; and

WHEREAS, funds for this contract will be provided and budgeted sufficient to cover the cost of these services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that a contract is hereby awarded to First Jersey Municipal Assistance, LLC according to the attached proposal for a term from July 1, 2009 to December 31, 2009. The Mayor and the Township Clerk are hereby authorized to execute said contract on behalf of the Township of Delanco.

BE IT FURTHER RESOLVED that Richard B. Schwab is hereby appointed as Acting Township Administrator for the Township of Delanco for a term from July 1, 2009 to December 31, 2009.

PAYMENT OF BILLS

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$ 111,017.02
PAYROLL	67,785.89
TRUST	617.48
ACCUMULATED ABSENCES	27,433.89

GENERAL ACCOUNT – JUNE 22, 2009

25317	BURLINGTON TIMES-CALKINS MEDIA	868.34
25318	BEVERLY BEE	1,350.00
25319	CERTIFIED SPEEDOMETER SERV INC	245.00
25320	CLEAN RENTAL SERVICES INC	254.12
25321	COLORCRAFT SIGN CO	13.50
25322	CLARKE CATON HINTZ	73.00
25323	CITY OFFICE OUTFITTERS	99.00
25324	COMCAST	105.21
25325	DELKANCO PUBLIC LIBRARY ASSOC	3,000.00
25326	DELANCO SEWERAGE AUTHORITY	91,000.00
25327	ELECTRONIC SECURITY CORP	159.00
25328	EIC INSPECTION AGENCY CORP	1,209.60
25329	GALLS INC	120.16
25330	GE CAPITAL	339.00
25331	H A DEHART & SON	91.92
25332	HOME DEPOT CREDIT SERVICES	137.60
25333	MARJAC NURSERY INC	190.00
25334	OLD DOMINION BRUSH CO	954.00
25335	PEDRONI FUEL CO	1,227.35
25336	PITNEY BOWES	168.00
25337	PSE&G	5,983.40
25338	PARKER MCCAY-ATTORNEYS AT LAW	1,648.25
25339	RIVERSIDE NAPA AUTO PARTS	86.65
25340	TUCH ELECTRICAL CONTRACTING CO	196.00
25341	TURF EQUIPMENT & SUPPLY CO	545.80

25342	W B MASON CO INC	290.12
TOTAL		\$111,017.02

TRUST		
2092	STEVEN T LAMB	617.48
TOTAL		617.48

ACCUM ABSENCES TO ACCUM ABSENCES		
1006	DELANCO TWP CURRENT FUND	27,433.89
TOTAL		\$27,433.89

APPROVAL OF MINUTES
 4/6/09(Public session only) 4/13/09, 4/20/09, 4/27/09, 5/4/09

APPROVAL OF DEPARTMENT REPORTS

APPROVAL OF CONSENT AGENDA
 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

APPROVAL OF MINUTES
 Motion by Marlene Jass, seconded by Joan Hinkle to approve the 4/6/09 Executive session minutes
ROLL CALL: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes
 Mayor Fitzpatrick stated that Committeeman Mike Templeton was not present at this session.

RESOLUTION 2009-92
AUTHORIZING CONVERSION OF GROUP LIFE POLICY TO INDIVIDUAL POLICY
IN ACCORD WITH THE REQUIREMENTS OF PRUDENTIAL INSURANCE
COMPANY OF AMERICA

WHEREAS, the Township Committee of the Township of Delanco previously entered into an Agreement with former Township Administrator, Steve Corcoran; and

WHEREAS, in lieu of certain other compensation, the Township agreed to provide a post-retirement life insurance policy to Mr. Corcoran; and

WHEREAS, Mr. Corcoran has taken the steps to convert his policy during employment to an individual policy, which policy is issued by Prudential Insurance of America; and

WHEREAS, Mr. Corcoran has supplied information to the Township from Prudential indicating a need for a Resolution from the Township, which correspondence is attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Delanco that the conversion of the group life to individual policy is hereby authorized and approved and that a copy of this Resolution shall be immediately provided to Mr. Corcoran for his submission to Prudential in accord with the attached correspondence from Prudential. The Mayor and Township Clerk are further authorized to take such actions and execute such documents to comply with any submissions necessary to complete this conversion.

Mayor Fitzpatrick stated that this resolution is required by Prudential. They have submitted the application for a life insurance policy for Mr. Steven Corcoran as part of his retirement. The life insurance policy is a conversion in the amount of \$11,770 at \$985.29 per year. Mayor

Fitzpatrick stated that she submitted all the paper work and a letter.
A discussion ensued regarding the terms of the contract and the term and amount.

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to adopt Resolution 2009-92.

Roll Call: Devinney, yes; Hinkle, yes; Jass, yes; Templeton, no; Fitzpatrick, yes

RESOLUTION 2009-93

GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Delanco desires to further the public interest by obtaining a loan of \$300,000.00 and/or grant of \$ 0.00 from the State to fund the following project(s):

- (1) Development of the Pennington Farm Park, Block 2100, Lots 12 and 13

NOW, THEREFORE, the governing body/board resolves that Richard Schwab, Acting Township Administrator, or the successor to the office of Township Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE TOWNSHIP COMMITTEE

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as;
 - a. Development of the Pennington Farm Park, Block 2100, Lots 12 and 13;
2. That the applicant has its matching share of the project, if a match is required;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Mayor Fitzpatrick stated that Resolution 2009-93 is a resolution that enables the Township Committee to move forward with the Green Acres loan. The Township submitted a letter to Green Acres stating that they are not in the position to do a 3 ½ million dollar contract. The Township submitted a revised plan for two soccer fields in the amount of \$503,000. Green Acres came back with a loan for \$300,000 at 2% interest and we would have to provide a matching grant. The Township resubmitted the application and Green Acres came back with giving the Township \$300,000 at 2% interest and no matching grant. Mayor Fitzpatrick stated that with the \$300,000, they can move forward and atleast provide Recreation with another soccer field and the parking issue can probably be taken care of.

Motion by Marlene Jass, seconded by Joan Hinkle to adopt Resolution 2009-93 GREEN ACRES ENABLING RESOLUTION.

Roll Call: Devinney, no; Hinkle, yes; Jass, yes; Templeton, no; Fitzpatrick, yes

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

Mayor Fitzpatrick opened the meeting to the public.

Mayor Fitzpatrick asked Karl Taraschi if the trees were ever pruned at Newton's Landing as required to be done by Pulte Homes.

1. Bill Dillenbeck, 400 Pine Street, clarified the question about the water line break under the Rancocas Creek.

- in reference to the question about the \$10,000 gasoline allowance for the Fire Commissioners – there will be a Fire Commissioners meeting tomorrow and this issue will be discussed
- commented that when he was on the Township Committee, they did an audit on the Library and they had surplus and they cut their budget – at the time they refunded them \$15,000 a year – thought that the school funded the Library years ago
- commented that he agreed with Committeemen Mike Templeton and Ed Devinney that the soccer field is not necessary at this time

A discussion ensued regarding the soccer field issue and Green Acres loan.

- in regard to the EMS Squad going under the Fire Commissioners – it is on hold because there is legislation to publicly fund the emergency squads

2. Jack Hoeffle, 44 Pennington Court, asked about the Tri-Party Agreement. Mayor Fitzpatrick stated that she is waiting to hear from Scott Taylor and until Matt Johnson accepts the paths, the Tri-Party Agreement will not happen.

3. Steven Jass, 4 McCay Way suggested to the Acting Township Administrator that the Township self insure Mr. Steven Corcoran's life insurance policy. The Township Committee will look into the self insured policy suggestion.

4. Bill Dillenbeck, 400 Pine Street, commented about the Pilot Program for Abundant Life Fellowship in reference to the commercial property and the amount that is located in Delanco and Edgewater Park. Mr. Dillenbeck stated that the original Pilot Agreement has now been changed due to the amendment. Mayor Fitzpatrick stated that this was initially presented but the wordage was left out in the ordinance.

Lt. Sacalis commented about the EMS services at the proposed Abundant Life Fellowship project. Lt. Sacalis stated that contract EMS services cannot respond to 911 emergency calls.

Lt. Sacalis stated that this will put a burden on our EMS services in Delanco Township.

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 – Nothing to report

DISCUSSION ITEMS:

1. SUSTAINABLE ENERGY – JOINT MEETING (Twp. Administrator)

The Acting Township Administrator, Mr. Schwab stated that if the Township wants to be part of this program that they must designate one person to get involved in this program for the purpose of acquisition of energy on a statewide basis and other programs. A discussion ensued.

Committeewoman Marlene Jass volunteered to be the representative for this program.

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
June 22, 2009