

**TOWNSHIP COMMITTEE MEETING – SEPTEMBER 14, 2009**  
7:30 PM MUNICIPAL BUILDING 770 COOPERTOWN ROAD, DELANCO NJ

**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; Janice Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Lt. George Sacalis, Police Department; Mr. Goffredo, Code Enforcement Officer; Scott Taylor, Township Planner

**FLAG SALUTE**

Mayor Fitzpatrick led the flag salute.

**MOMENT OF SILENCE**

Mayor Fitzpatrick asked for a moment of silence for Township resident Marie Scott who passed away this morning.

**SUNSHINE STATEMENT**

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner. Written notice has been mailed to the Burlington County Times and the Courier Post and published in the January 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.

**ORDINANCE 2009-10**

**AMENDING CHAPTER 10 OF THE TOWNSHIP CODE GOVERNING OUTSIDE EMPLOYMENT OF POLICE OFFICERS\***

**\*2ND READING BY TITLE ONLY AND PUBLIC HEARING**

**WHEREAS**, the Township Committee of the Township of Delanco (“Township”) previously adopted Ordinance 2003-7 creating Chapter 10-6 of the Township Code governing outside employment of police officers and establishing an escrow fund for payment by private employers; and

**WHEREAS**, the Police Chief has requested that the fee for such services be updated to reflect current hourly rates for such services; and

**WHEREAS**, the Township desires to amend the Code to update such hourly rates and to further permit the establishment of such rates by Resolution to avoid the need for periodic Ordinance amendments.

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

Section 1. Chapter 10-6 of the Township Code is hereby amended as follows:

C. Contracts with Private Employers or Public Entities.

Any Private Employer desiring to retain the services of police officers (“Employee(s)”) of the Township of Delanco for extra-duty, security-related and/or traffic control activities shall be required to enter into a contract with the Township of Delanco. Except in cases of bona fide emergency, no assignment to extra duty may be made unless, prior to such assignment, the private party or entity has executed a contract for such services and has made the required deposit pursuant to the Uniform Agreement to Provide Security-Related and/or Traffic Control Services by Off-Duty Personnel, which form of Agreement is on file with

the Township Department of Finance. Said Agreement shall include, but not be limited to the nature of duties to be performed, the location of said duties, the date and hours of service, the rate of payment of services to the officers, which shall be established by Township Resolution and may be amended from time to time, administrative fees to the Township of Delanco and fees for the use of Township owned equipment.

**Deleted:** [hereby established at Forty Five Dollars (\$45.00) per hour]

The Agreement shall provide for the deposit of monies in advance by the Private Employer for the services to be performed. Should the contract be for a term exceeding one (1) month, the Private Employer shall be required to tender an estimated payment for the first month's services upon executing the contract, and will be billed on a periodic basis thereafter. Should the actual assignment of off-duty officers amount to less than the amount deposited, the Chief Financial Officer shall upon termination of the contract, receipt of the final certified time slips, and receipt of written demand from the Private Employer, return all unused funds to the Private Employer. Nothing in this section shall be construed as limiting the power of the Township of Delanco to accept or reject any and all assignments with any Private Employer.

Section 2. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

Section 3. Severability. If any provision of this Ordinance is deemed unlawful by a Court is found to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Agreement shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect upon proper passage in accordance with the 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.

Motion by Joan Hinkle, seconded by Ed Devinney to adopt Ordinance 2009-10 on second reading.

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

#### **\*\*PRESENTATION – ZURBRUGG PARTNERSHIP\*\***

##### **Final Architectural Plans**

Henry Kent Smith, attorney for Zurbrugg Partnership, introduced Rick Fumo, architect for Zurbrugg Partnership that will present to the Township Committee the architectural plans for the Mansion project. Mr. Smith stated that this is the last step in the review process for the plans. Mr. Smith stated that the next step will be to secure the building permits and start work on the project. Mr. Smith stated that the presentation tonight will focus on the Mansion.

Mayor Fitzpatrick commented that the Township Committee members received the packet of information regarding the final architectural plans and has had sufficient time to review them.

Mr. Fumo exhibited architectural drawings of the four elevations of the proposed renovations showing photographs of the existing conditions and explained the proposed changes to the

existing structures.

Mr. Smith introduced Mr. Jason Lutz, from J. Parry Architects who will explain the proposed changes to the Carriage House. Mr. Lutz exhibited drawings for the redevelopment and renovation of the Carriage House and explained the proposed plans. Mayor Fitzpatrick questioned the interior design and layout for the Carriage House. A discussion ensued regarding the historical character of the Carriage House.

Mr. Scott Taylor, Township Planner added a few comments regarding the redevelopment plan in respect to the Mansion and Carriage House.

Mr. Henry Kent Smith finalized the presentation by stating that the Township Committee will need to approve the design, subject to final review at building permit from Mr. Taylor as Administrative Officer to assure compliance.

Deputy Mayor Joan Hinkle questioned who the property managers for the Mansion would be and if they had finalized this yet. Mr. Smith replied that Lutheran Social Ministries had been selected as the Property Manager for the senior housing. Mrs. Hinkle also questioned whether they were going to remove the enclosure by the front door. They replied that they were only removing the enclosure on the second story of the Mansion.

Mayor Fitzpatrick agreed with the other Township Committee members and is looking forward to its completion and the ribbon cutting ceremony. Mayor Fitzpatrick stated that she attended the ribbon cutting ceremony this morning for the Abundant Life project.

#### **RESOLUTION 2009-116**

#### **RESOLUTION APPROVING ARCHITECTURAL PLANS FOR ZURBRUGG MANSION SUBMITTED BY ZURBRUGG PARTNERSHIP, LLC**

**WHEREAS**, the Township of Delanco entered into a Redevelopment Agreement with Zurbrugg Partnership, LLC dated April 14, 2008 for the redevelopment of the Zurbrugg Mansion and related properties; and

**WHEREAS**, the Agreement provide for architectural review and approval by the Township Committee to ensure that the historical features of the Mansion and other improvements are retained and maintained; and

**WHEREAS**, Zurbrugg Partnership, LLC submitted floor plans and elevations of the Mansion and related materials to the Township Committee on September 2, 2009; and

**WHEREAS**, Zurbrugg Partnership, LLC has also submitted letters from the State and Federal governments with regard to the historic review of the Mansion, and have drafted their plans in accord with same; and

**WHEREAS**, Zurbrugg Partnership, LLC appeared before the Township Committee on September 14, 2009 to discuss the plans and seek approval; and

**WHEREAS**, the Township Committee has received and reviewed the approvals, heard the presentation of Zurbrugg Partnership, LLC, and desires to approve same.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that the floor plans and elevations to retain and maintain the historical elements of the Mansion, submitted by Zurbrugg Partnership, LLC on September 2, 2009 and incorporated herein by reference, are hereby approved; and

**BE IT FURTHER RESOLVED** that if Federal or State Historic Preservation Office (“SHPO”) review requires any changes to the proposed architectural as approved by this Resolution, said changes shall be submitted to Taylor Design Group for review and approval; and

**BE IT FURTHER RESOLVED** that Zurbrugg Partnership, LLC shall submit further architectural floor plans and elevations for the Carriage House and the Townhouses when they are ready to proceed with same, and this approval does not extend to the improvements beyond the Mansion.

The Township Solicitor, Mr. Douglas Heinold stated that he wanted to add some language to the Resolution; that if review by a Federal review creates and changes; those changes shall be submitted to Taylor Design Group for review and approval.

Committeeman Ed Devinney suggested that Zurbrugg Partnership black anodize the aluminum porch on the front of the Mansion.

Motion by Ed Devinney, seconded by John Hinkle to adopt Resolution 2009-116

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

### **COMMENTS – PROFESSIONALS**

#### **Township Planner – Mr. Scott Taylor**

Mayor Fitzpatrick stated that she had the report on Newton's Landing and she would read off the items and Mr. Taylor could comment on the separate items.

Mr. Taylor stated that they have been making progress on their list of items to do.

Mayor Fitzpatrick indicated that the Tri-Party Agreement settlement occurred and she asked the Township Solicitor, Mr. Douglas Heinold if he had any additional information regarding that. Mr. Heinold stated that the Tri-Party Agreement with the County was closed on September 1, 2009 and everything went smooth. Mr. Heinold stated that he submitted the material to the Municipal Clerk and the Acting Township Administrator. Mr. Schwab has asked for additional information relative to the survey that was done. Mr. Heinold stated that they have what they need to move forward with the Joint Land Use Board.

Mayor Fitzpatrick stated that she contacted Mario at the Newton's Landing Homeowner's Association to let Mansur know that the County is now the owner and they can work with the *River Keeper* program to do any clean up of that property.

### **COMMENTS – PROFESSIONALS**

#### **Township Engineer – Mr. David Denton**

- with regard to the Train Station parking; he has contacted NJ Transit and they have received DEP approval for the parking lot area; they are preparing a draft agreement that will be sent to the Township Committee for review and approval
- with regard to Richard Avenue; contractor has completed the contract work and started on the pavement reconstruction; they expect to be done Wednesday or Thursday; noted that the contractor is better to work with than previous contractors

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

- reported that the Township challenged the exemption given to Salt and Light for their affordable housing unit properties; the County Tax Board ruled in the Township's favor; Salt and Light has appealed the decision up to the State Tax Court and the initial discovery period has begun and they have exchanged some of the discovery demands
- need Township Committee action on it relative to Powerhouse – Powerhouse and Delanco Sewerage Authority have reached a settlement on the fair share obligation to be paid relative to the Coopertown Road sewer line and the attorney for Powerhouse has asked the Township

Committee to bless and sign off on the agreement and asked for a motion on the agreement

Motion by Joan Hinkle, seconded by Marlene Jass to approve the settlement for Powerhouse connection fee of \$45,000.

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

**COMMENTS – ACTING TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab**

- working with Delran and Riverside on the cost impact of Cinnaminson pulling out of the Animal Control coalition – working with other communities to see if they will fill-in that gap and going over other financing alternatives
- received notice from Green Acres that the Township has to do a debt or bond ordinance for the \$300,000 loan
- reported that there are copies of the Richards Avenue agreement in the Township Engineer's mail box
- reported that there is also mail for the Township Solicitor

Mayor Fitzpatrick asked if they could do the agreement for the Zurbrugg waterfront at the October 5, 2009 Township Committee meeting because she would like the Township Solicitor to be present in case there are any questions. A discussion ensued.

**COMMENTS - DEPARTMENT HEADS**

**Police Department – Lt. George Sacalis**

- received information for applying for the live scan unit under a grant
- reported that there have been a lot of home and automobile burglaries in Delanco Township and warned the Township residents to keep their doors and windows locked and lock their automobiles
- reported that there is construction of the gas line along Burlington Avenue and will be a couple of weeks before they get to Buttonwood Street
- working on the Burlington Avenue railroad track problem – Mr. Schwab contacted the new owners and they are getting proposals to have the work done

**Code Enforcement Officer – Mr. Philip Goffredo**

- reported on Code Enforcement report for July – 66 complaints received – 57 in compliance – performed 15 commercial rental inspections – approved 4 zoning permits – 2 denied and sent to the JLUB – 2 fence permits approved - trees were taken down at Rivers Edge and he reported this to DEP
- reported on Code Enforcement for August – 21 complaints received – 13 in compliance – 8 pending – No rental inspections – 3 zoning permits approved – 1 denied and sent to the JLUB – gave extension to 200 Ash Street – working with resident on Pennsylvania Avenue regarding the fence issue

Mr. Goffredo asked to make a comment about the Zurbrugg presentation regarding the outside staircases. Mr. Goffredo suggested that there should be awnings over the stairs to protect the stairs and people walking on them in bad weather.

**Municipal Clerk – Mrs. Janice Lohr** – Nothing to report at this time

Mayor Fitzpatrick commented about the Census and stated that two Census representatives contacted her regarding the census and would like to have a meeting next week.

**COMMENTS - TOWNSHIP COMMITTEE**

**Ed Devinney**

- reported that he was out of the Country for most of August at an International meeting but he did attend an Emergency Management Meeting on the 31<sup>st</sup> of August – they got a good start at re-organizing themselves – some of the members have to take the NIMZ course

**Joan Hinkle –**

- attended the River Route meeting in Riverton and they talked about how the River Route has helped the economy but they would like to get more ridership
- attended the Shade Tree Commission meeting – received a resignation letter from the secretary
- attended the Emergency Management Meeting and they are making head-way
- announced that the Mock Election date is definitely October 7<sup>th</sup> and asked Lt. Sacalis if he could have a police officer present and she asked the Municipal Clerk if she would be available to give the guided tour – she also asked the Acting Township Administrator if he would give a little talk also
- attended the Abundant Life ground breaking ceremony this morning.

**Marlene Jass –**

- attended the Emergency Management Meeting and is starting the course
  - attended the River Route Meeting and the River Route had their train ride last Friday and it started in Burlington and ended in Riverside
  - announced that DYSA is having a fund raiser using McDonald's – thanked Fern Ouellette for sponsoring the fund raiser for DYSA
  - reported that DYSA had a record number for soccer registration (in the 200's)
  - attended the History Committee – still working on Mr. Diggs and they are planning a production and play
  - they will be doing a display of the railroad in the Library – the existing shoe factory display in the Library will move to the Municipal Building display area
  - everyone is getting ready for Community Day on October 10, 2009
  - they are having a rededication of the Joseph C. Phile field at Fall Fest
  - Fall Fest is having its 10<sup>th</sup> Anniversary this year on October 24<sup>th</sup> – the theme is: *Pirates Return and Invade Delanco*
  - Recreation is doing Adult Dodge Ball at Pearson School on Wednesdays
  - reported that there is a website called Delanco Recreation Comcast where you can email the Recreation Commission with any questions you may have – this will also be posted on the Delanco website
  - reported that at one time Buttonwood Street may have been called Elm Street but they have not found any documentation regarding this and asked if anybody had information regarding this to get in touch with the Historical Preservation Advisory Board
- Mayor Fitzpatrick stated that her brother had a map of Delanco from 1886 and Buttonwood Street had that name at that time

Marlene Jass stated that the Recreation Commission is in need of repairs; tree damage has been done on West Avenue and the AA field area on Hickory street.- they also need fencing for protection on the AA field along Hickory Street where the gates are located – On West Avenue to the right of where they hit the ball – they have to extend the fencing to reach the height of the backstop. The Recreation Commission would like to know if these monies (approximately \$3,300.00) needed for the repairs can come out of the developer's recreation fees.

Motion by Joan Hinkle, seconded by Ed Devinney to approve the funds for the necessary repairs to the fencing to be taken from the developer's recreation trust fund.

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

**Mayor Fitzpatrick –**

- attended a meeting with the Recycling Coordinator at Trout Trail regarding the 64 gallon recycling cart – will deliver the carts to this area as a trial to see how it works before including Rivers Edge in the recycling cart program
- met with several communities at Edgewater Park regarding the quiet zones for the River Line – was informative and positive meeting – towns have to work together to accomplish the quiet zones – towns are working together for a plan prepared as to what can be done and where the quiet zones can be placed for a contingency effort to present to the government to hopefully assist the communities involved
- reminded everyone that Community Day is Saturday, October 10, 2009 and if anyone is interested in getting involved; they should contact Terry Hamlin to participate
- Dave Rust wanted to remind everyone that they are starting up Volleyball again at the Pearson School on Wednesday's from 7:30 – 9:30 PM
- reported that the Safety Newsletter being prepared by Marie DiSibio and Karen Zimmermann is wonderful and wondered if it can be posted on the website
- received a notice from Staples regarding the fact that they are the State contractor for office supplies
- saw the letter regarding the Florence landfill – this is the second payment – settlement to be paid over a three year period
- attended the Emergency Management Meeting and they will have another meeting on September 28, 2009 – anyone who wants to be a part of this should attend the meeting - they have someone who will be appointed tonight to fill the vacant position of Emergency Management Coordinator
- announced that the Delanco Townwide Yard Sale is Saturday, September 26, 2009

Committeeman Ed Devinney commented that Fred McQuade, president of the Delanco Township Fire Commissioners is present and might be attending tonight's meeting because of the letter he sent about the Fire Police Van. Mr. McQuade stated that there was a rumor that the van was going to be sold or auctioned off and they were considering asking the Township to return it to the Washington Fire Department. Mayor Fitzpatrick stated that the Township Committee discussed this and agreed to return the Fire Police Van to the Washington Fire Company.

The Acting Township Administrator, Mr. Richard Schwab interjected that the Public Works Department indicated that they would like to have the van but he has not had the opportunity to discuss it with the Superintendent of Public Works.

Committeeman Ed Devinney asked the Township Committee if it would be alright to make a statement that if the Public Works Department does not put it to use, that they will return the van to the Washington Fire Company.

A discussion ensued regarding the van. Mayor Fitzpatrick stated that she would recommend that if the Washington Fire Company has a valid use for the van that it is returned to them. Mr. Schwab asked to give the Superintendent of Public Works a chance to give his proposal for the van. The Township Committee members agreed to wait and hear Mr. Fenimore's proposal.

**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.")

Mayor Fitzpatrick stated that there are a few items to be removed from the Consent Agenda for further discussion. They are: Ordinance 2009-11, Ordinance 2009-15. The Township Committee decided to discuss these ordinances instead of removing them. A discussion ensued regarding Ordinance 2009-11. Committeewoman Marlene Jass had another question regarding the 60 day stipulation for Ordinance 2009-15. Mrs. Jass felt that it should be ninety days to give the Township more approval time and eliminate the 50%. The Township Committee members agreed to increase it to ninety days and eliminate the 50% clause.

Committeeman Ed Deviney stated that there were some inserts that needed to be done for Ordinance 2009-11.

Mayor Fitzpatrick stated that there was one more item regarding the snow removal where her name had to replace former Mayor Ouellette.

**CONSENT AGENDA:**

**ORDINANCE 2009-11**

**MODEL ORDINANCE – REFUSE CONTAINERS/DUMPSTERS**

**1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR OCTOBER 5, 2009**

**ORDINANCE 2009-12**

**MODEL ORDINANCE – PRIVATE STORM DRAINS INLET RETROFITTING**

**1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR OCTOBER 5, 2009**

**ORDINANCE 2009-13**

**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”**

**1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR OCTOBER 5, 2009**

**ORDINANCE 2009-14**

**AMENDING CHAPTER 168 GOVERNING “FEES”**

**1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR OCTOBER 5, 2009**

**ORDINANCE 2009-15**

**AMENDING CHAPTER 58 GOVERNING “FAIR HOUSING”**

**1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR OCTOBER 5, 2009**

**RESOLUTION 2009-117**

**ESTABLISHING THE HOURLY RATE FOR OUTSIDE EMPLOYMENT OF POLICE OFFICERS**

**WHEREAS**, the Township Committee of the Township of Delanco (“Township”), on this date, amended Chapter 10-6 to permit the establishment of the charge to private employers that employ Delanco Township Police Officers to be done by Resolution; and

**WHEREAS**, the Police Chief has requested that the fee for such services be updated to reflect current hourly rates for such services at \$65.00 per hour.

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

The hourly rate of compensation pursuant to Chapter 10-6.C is hereby set at \$65.00 per hour.

#### **RESOLUTION 2009-118**

#### **RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF BEVERLY REGARDING THE MUNICIPAL CLERK**

**WHEREAS**, pursuant to *N.J.S.A. 40A:65-1, et seq.*, municipalities may enter into Shared Service Agreements by Resolution with other municipalities to provide for or receive services which either Party to the Agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the City of Beverly (hereinafter "Beverly") contacted the Township of Delanco (hereinafter "Township") with regard to its need for immediate assistance in the municipal clerk's office, including essential duties related to the positions of Clerk, Registrar of Vital Statistics, and Planning Board Secretary; and

**WHEREAS**, the Township desires to assist Beverly with this need; and

**WHEREAS**, Janice M. Lohr is a Registered Municipal Clerk, licensed by the State of New Jersey, with significant experience in the areas of need faced by Beverly, and is tenured as Clerk with the Township of Delanco; and

**WHEREAS**, the parties have negotiated the form of a Shared Service Agreement, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the needs faced by Beverly were of an emergent nature in order to continue basic service to the residents of Beverly; and

**WHEREAS**, the Township acts on this Resolution in order ratify the shared service with Beverly for the provision of time and service on the part of Ms. Lohr.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that the Mayor and Township Clerk are hereby authorized and directed to execute their signature upon the attached Shared Service Agreement upon the approval of the form of the Agreement by the Township Solicitor, which execution shall ratify and approve any and all work done pursuant to the Agreement prior to the date of adoption.

**BE IT FURTHER RESOLVED** that the authorization and execution of this Agreement shall in no way impact Janice M. Lohr's employment as Township Clerk for the Township of Delanco and her tenure status therein.

#### **RESOLUTION 2009-119**

#### **AUTHORIZING AMENDMENT TO CONTRACT WITH TOWNSHIP SOLICITOR**

**WHEREAS**, on January 2, 2009, by Resolution 2009-22, the Township Committee of the Township of Delanco ("Township") appointed Douglas L. Heinold, Esquire as Township Solicitor; and

**WHEREAS**, on or about August 1, 2009, Mr. Heinold left the firm of Parker McCay P.A., Three Greentree Centre, Marlton, New Jersey and joined the firm of Raymond Coleman Heinold, LLP, 325 New Albany Road, Moorestown, New Jersey; and

**WHEREAS**, the Township desires to execute an amendment to the Contract to reflect this change in professional affiliation.

**NOW, WHEREFORE, BE IT HEREBY RESOLVED** by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that the Mayor and

Township Clerk are hereby authorized to enter into the attached amendment to the Contract with Douglas L. Heinold, Esquire.

**RESOLUTION 2009-120**

**SPECIFYING THE SALARIES OF EMPLOYEES WITHIN DELANCO TOWNSHIP**

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

Section 1. Based on contract negotiations between the Township of Delanco and bargaining units for various employees of the municipality and based on determinations made by the Township Committee to set the salary of those employees not covered by a bargaining agreement, the Township Committee does hereby establish for the year 2009 the salary rates for the employees specified on the following Schedules. Salary rates for employees covered by collective bargaining agreements are governed by those agreements and are listed below with their regular compensation. Additional compensation for irregular items such as shift differential, where applicable, is not included below.

Section 2. The Township Clerk is hereby directed to forward a copy of this resolution to the Chief Finance Officer/Treasurer of the Township of Delanco in order that he may be made aware of salary rates herein supplied and pay the appropriate amounts, retroactive to January 1, 2009.

<u>SCHEDULE A</u>		<u>WEEKLY RATE</u>	
Steve Corcoran	Township Administrator	\$1,612.31 (1/1 to 4/30/09)	
Janice Lohr	Township Clerk	1,128.50	
	Registrar of Vital Statistics	41.50	
	Housing Officer	115.38	
Mario DiSibio	Clerk\Typist	687.90	
Carla Sarlo	Clerk\Typist	687.90	
Karen Zimmermann	Clerk\Typist	687.90	
	Dep. Registrar	10.83	
Nancy Bray	Police Records Clerk	687.90	Phil
Goffredo	Zoning\Code Enforce. Officer	1,079.85*	*( 55%
of this salary is reimbursed by Riverside Twp via a shared service agreement)			
Jennifer Esposito	Court Administrator	549.79	
Robert Hudnell	Chief Financial Officer	601.54	
Lynn Davis	Tax Collector	644.00	
John Fenimore	Supt. – Public Works	1,463.27	
Louis Marino, Jr.	Animal Control Officer	85.63	
Edmund Parsons	Police Chief	2,190.24 (1/1 to 6/26/09)	
George Sacalis	Police Lieutenant	1,762.55	
Jesse DeSanto	Police Sergeant	1,613.40	
Donald Nesbitt	Police Sergeant	1,549.32 (1/1 to 3/30/09)	
		1,579.72 (as of 3/31/09)	
Francisco Ambrifi	Patrol Officer	1,445.03	
Eric Hoffman	Patrol Officer	1,305.06 (1/1 to 4/24/09)	
		1,363.84 (as of 4/25/09)	
Gary Stahl	Patrol Officer	1,420.76	
Adam Tilger	Patrol Officer	1,451.11	
Basil Warren II	Patrol Officer	1,367.66 (1/1 to 9/03/09)	
		1,426.26 (as of 9/04/09)	

SCHEDULE B MONTHLY RATE

Kate Fitzpatrick	Mayor	350.00
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Edward Devinney	Township Comm. Member	300.00
Joan Hinkle	Township Comm. Member	300.00
Marlene Jass	Township Comm. Member	300.00
Michael Templeton	Township Comm. Member	300.00 (salary declined)
Joseph Robinson Jr.	Tax Assessor	2,126.67
Nicolas Costa	Prosecutor	1,121.08
Gregory McCloskey	Mun. Court Judge	1,357.58
Jane Ballinghoff	Recreation Comm. Secy.	135.17
Barbara Towell	Shade Tree Comm.Secy.	118.42
Edward Schaefer	Constr. Code Official	1,158.27
	Bldg. Sub Code Official	1,303.05
	Electr.Sub Code Official	434.35

SCHEDULE C HOURLY RATE

Linda Lewis	Police Matron	12.98
Linda Lewis	School Traffic Guard	14.06
Loretta Ash	School Traffic Guard	10.82
Irene Faust	School Traffic Guard	14.06
Nancy Jefferies	School Traffic Guard	14.06
Dorothy Lieberum	School Traffic Guard	14.06
Dianne Louder	School Traffic Guard	12.44
Tina Simon	School Traffic Guard	14.06
Rosemary Stahl	School Traffic Guard	14.06
Larry Stearns	Police Records Clerk	16.87
Katherine Martin	Joint Land Use Bd. Secy.	17.50
Carol Gunkel	Janitorial	13.50

SCHEDULE D PER CT. SESSION RATE

Sheryl Allen	Clerk Typist/Ct. Recorder	73.00
Robert Prisco	Public Defender	183.00
Michael Fertig	Special Police Officer	73.00

**RESOLUTION 2009-121**

**AUTHORIZING THE TOWNSHIP OF DELANCO TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

**WHEREAS**, N.J.S.A. 40A:11-11 authorizes contracting units to establish a cooperative Pricing agreement for its administration; and

**WHEREAS**, the County of Burlington, hereinafter referred to as "Lead Agency," has offered voluntary participation in a Cooperative Pricing system for the purchase of goods and services; and

**WHEREAS**, on September the governing body of the township of Delanco, County of Burlington, State of New Jersey, duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Delanco.

AUTHORITY

Pursuant to the provisions of N.J.S.A.40A:11-11(5), the Township Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**RESOLUTION 2009-122**

**AUTHORIZING EXECUTION OF INTERLOCAL SERVICES AGREEMENT WITH BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON FOR SNOW REMOVAL AND ASSOCIATED USES**

**WHEREAS**, the *Shared Services Act*, N.J.S.A. 40A:65-1 *et seq.*, authorizes and encourages a municipality to enter into contracts for the joint provision within their jurisdictions of any service which either party to the agreement is empowered to render within its own jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delanco that the Mayor and Township Clerk be and are hereby authorized to enter into and execute the Shared Services Agreement with the Board of Chosen Freeholders of the County of Burlington substantially consistent with the form of Agreement attached hereto and incorporated herein as "Exhibit A", upon final review and approval of the Township Solicitor for Snow Removal and associated uses.

**RESOLUTION 2009-123**

**RESOLUTION AMENDING PREVIOUS RESOLUTION 2009-104 AUTHORIZING PURCHASE OF VIDEO AND AUDIO EQUIPMENT**

**WHEREAS**, at the time Resolution #2009-104 was adopted authorizing the purchase of video and audio equipment for the Police department to Tech Electric & Security of Sicklerville, NJ for \$5,296.00, there was an additional vendor that was not listed. This vendor, Marlac Electronics, Inc., proposed an amount of \$4591 which should have been listed as the lowest acceptable proposal. Therefore, the award resolution should be amended to award the project to Marlac Electronics, Inc. of Moorestown, NJ for \$4591."

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Delanco, in the County of Burlington and State of New Jersey, that Resolution 2009-104 is hereby amended to reflect the award of the project to Marlac Electronics, Inc. of Moorestown, NJ in the amount of \$4591.

**RESOLUTION 2009-124**

**APPOINTING EMERGENCY MANAGEMENT COORDINATOR**

**BE IT RESOLVED** by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that Paul Dragos is hereby appointed as Emergency Management Coordinator for the Township of Delanco for a term of three (3) years which will expire on September 14, 2012.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Burlington County Department of Emergency Management.

**PAYMENT OF BILLS**

<u>ACCOUNT</u>	<u>AMOUNT</u>
GENERAL	\$667,787.82
PAYROLL	127,897.99
TRUST	12,467.50
CAPITAL	919.55
ACCUM. ABSENCES	1,927.00

**GENERAL ACCOUNT – SEPTEMBER 14, 2009**

25474	AMERICAN LAWN IRRIGATION INC	174.50
25475	BURLINGTON TIMES-CALKINS MEDIA`	86.80
25476	BLACK BOX NETWORK SERVICES	798.59
25477	CRYSTAL SPRINGS	43.13
25478	CLEAN RENTAL SERVICES INC	666.99
25479	CLARKE CATON HINTZ	922.05
25480	COASTLINE LANDSCAPE CO INCE	2,100.00
25481	COMCAST	105.21
25482	CUSTOM BANDAG INC	115.00
25483	DELANCO TWP BOARD OF EDUCATION	449,675.09
25484	DELANCO FIRE COMMISSIONERS	26,500.00
25485	DELANCO PUBLIC LIBRARY ASSOC	3,000.00
25486	DELANCO TWP RECREATION ACCT	8,000.00
25487	EDMUNDS & ASSOCIATES INC	549.70
25488	FEDERAL EMPLOYEES BENEFIT ASSN	455.70
25489	FIRST JERSEY MCPL ASSISTANCE	4,400.00
25490	GOVCONNECTION INC	116.00
25491	HULSE & GERMANO ESQS LLC	776.25
25492	HERITAGE CLEANERS & TAILOR LLC	125.00
25493	JIM LORINGERS BP	556.48
25494	JANICE M. LOHR	122.90
25495	LOWTHERS SMALL ENGINE INC	494.30
25496	LAND ENGINEERING & SURVEYING	1,676.25
25497	MUNICIPAL CAPITAL CORP	900.00
25498	JOHN MILLER	1,260.00
25499	MUNICIPAL CT ADMIN ASSN OF NJ	50.00
25500	LENORE MORAIS	75.00
25501	NJ AMERICAN WATER CO	839.51
25502	NJ LEAGUE OF MUNICIPALITIES	42.00
25503	NJ STATE HEALTH BENEFIT PROG	32,830.82
25504	THERESA NICHOLS	73.00
25505	PEDRONI FUEL CO	5,666.08
25506	PAYROLL ACCOUNT	5,961.98
25507	PARKER MCCAY-ATTORNEYS AT LAW	7,484.97
25508	PENNONI ASSOCIATES INC	1,085.00
25509	PERFECT SERVICES CO LLC	85.00
25510	RIVERSIDE NAPA AUTO PARTS	189.00
25511	RECYCLE BANK LLC	882.60
25512	SOUTH JERSEY SANITATION	11,231.25

25513	SAMZIES LTD UNIFORMS	494.80
25514	STEWART BUSINESS SYSTEMS	158.00
25515	TD BANK-ADMINISTRATIVE FEE	950.00
25516	TREASURER COUNTY OF BURLINGTON	14,886.26
25517	TAYLOR DESIGN GROUP INC	294.75
25518	TREASURER-STATE OF NEW JERSEY	1,015.00
25519	MICHAEL W THOMPSON	1,260.00
25520	TD BANK NA	75,657.50
25521	U S S CAR WASH	325.00
25522	VERMEER NORTH ATLANTIC SALES	42.08
25523	VERIZON WIRELESS	509.66
25524	VERIZON CABS	186.41
25525	VERIZON	440.81
25526	W B MASON CO INC	125.67
25527	XTEL COMMUNICIONS INC	1,325.73
<b>TOTAL</b>		<b>\$667,787.82</b>

**TRUST**

2107	LAND ENGINEERING & SURVEYING	2,092.50
2108	HULSE & GERMANO ESQS LLC	1,296.00
2109	TAYLOR DESIGN GROUP INC	8,671.50
2110	PENNONI ASSOCIATES INC	130.00
2111	BIRDSALL ENGINEERING INC	277.50
<b>TOTAL</b>		<b>\$12,467.50</b>

**ACCUM ABSENCES TO ACCUM ABSENCES**

1008	PAYROLL ACCOUNT	1,927.00
<b>TOTAL</b>		<b>\$1,927.00</b>

**APPROVAL OF DEPARTMENT REPORTS**

**APPROVAL OF MINUTES**

6/22/09, 7/13/09 & 8/3/09

**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**

Motion by Mayor Fitzpatrick, seconded by Joan Hinkle to approve the 8/3/09 minutes as amended.

**ROLL CALL FOR 8/3/09 MINUTES:**

**Devinney, abstain; Hinkle, yes; Jass, yes; Templeton, absent; Fitzpatrick, yes**

**MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS**

Mayor Fitzpatrick opened the meeting to the public.

1. Tom Fynan, 1501 Second Street, thanked the Township Committee for taking care of the construction violations at 1500 Second Street. Mr. Fynan said he wanted to put on public record the fact that the resident on 1500 Second Street is challenging the use of the

Township right of way and using it for his own personal use. A discussion ensued. Mr. Fynan added that if the Township wanted to make this a pocket park that the residents in the area would be more than willing to help with the costs.

2. Martin Goldberg, 75 Pennington Court, stated that he is the new president of Newton's Landing HOA. Mr. Goldberg stated that he needed clarification on the Tri-Party Agreement. Mr. Goldberg asked if the County was now responsible for the maintenance of the basins. Mayor Fitzpatrick stated that the County is only mowing the basins and the basins are still covered under the Maintenance bonds and are the responsibility of Pulte Homes. Mr. Goldberg stated that the mosquito problem is bad at Newton's Landing and is concerned because of the height of the grass.  
Mr. Goldberg also stated that the HOA was concerned with the proposed development at the Pointe. Mr. Goldberg stated that Mr. Rahenkamp came to their meeting and made a presentation to the members of the HOA. After the meeting, the members of the association voted to support his plan. Mr. Goldberg asked what the status was of the proposed project at the Pointe. Mayor Fitzpatrick stated that the Township has not agreed to change any zoning there yet. Mr. Goldberg expressed his concern that it was an eyesore.
3. Fern Ouellette, 212 Rancocas Avenue, stated that he is currently on the Board of Trustees for the Burlington County Community Action Program. Mr. Ouellette stated that he received a letter from the Trustees asking him to extend his time on the Board. Mr. Ouellette felt that it was appropriate, based on the letter, that it be a decision should be made by the Mayor and Township Committee as to whom should fill the seat. Mayor Fitzpatrick stated that she received a letter also, asking her to be on the Board. Mr. Ouellette agreed to stay on until the end of the year and stated that when the Township reorganizes that they appoint someone at that time.
4. Fred McQuade, 734 Rancocas Avenue, thanked the Board and the various departments in the Township for helping him. Mr. McQuade said that he is the official owner of his mother's house. Mr. McQuade said he is in the process of restoring his mother's home and doing repairs on his home. Mr. McQuade also stated that he presently has a lot of health issues that prevents him from doing the work himself, and he is getting help from family members and contractors.

#### **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 a letter from the President of the Delanco Emergency Squad commending Sergeant Nesbitt on a recent 911 call where Sergeant Nesbitt resuscitated and stabilized the person – letter of accommodation will go into Sergeant Nesbitt's personnel file
- received a letter from the Fire Commissioners regarding the Fire Police Van – item tabled until follow-up with the Superintendent of Public Works
- received a letter of resignation from the Barbara Towell, Secretary and member of the Delanco Shade Tree Commission

#### **DISCUSSION ITEMS:**

1. RECEIPT OF REQUEST TO WAIVE PERMIT FEES FOR COAH UNITS  
(Tabled from August 17, 2009 agenda)

Mayor Fitzpatrick stated that she discussed this with the Township Solicitor and it has not been the policy for Delanco Township to waive them in the past and it is not required for the

Township to do so.

The Township Committee member all agreed not to waive the fees for COAH units.

2. STREET LIGHTS

Committeeman Ed Devinney stated that he wanted this tabled because he needed more time to research this. A discussion ensued regarding lighting and over lighting.

3. STATUS OF TRI-PARTY AGREEMENT LAND SWAP (Pennington Park property)

Mayor Fitzpatrick stated that this was previously discussed earlier in the meeting.

**ADJOURNMENT**

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

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

Janice M. Lohr, RMC  
Delanco Township  
September 14, 2009