

TOWNSHIP COMMITTEE MEETING – OCTOBER 19, 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; Chief Sacalis, Police Department

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.

ORDINANCE 2009-16

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”

***2nd READING BY TITLE ONLY AND PUBLIC HEARING**

BE IT ORDAINED AND ENACTED BY THE Township Committee of the Township of Delanco, County of Burlington, and State of New Jersey, that:

Section 1. Section 2 of the Ordinance entitled above to which this Ordinance is an amendment, is hereby amended to provide as follows:

Section 2. The rates of compensation of an employee shall be payable as follows as per negotiated contracts:

2009 PAID WEEKLY - POLICE
POLICE CHIEF

PER ANNUM RATE
\$109,200
(Effective 10/5/2009)

Section 3. Salaries listed as Annual shall be paid based on the annual amount listed divided by 52 normal weeks in a year and paid either every week, or divided by 12 months and paid monthly as listed. Salaries listed in another unit of measure (hourly or per session) shall be paid based on actual time documented on approved records based on the time actually worked, and paid either weekly or monthly as listed.

Section 4. The rates of compensation for Township Employees as set forth above are base salaries only and shall be deemed the basis of Overtime. All additional and/or overtime compensation shall be paid in accordance with the Township’s Personnel Practices Manual/Handbook or as provided for in collective bargaining or individual employment agreements

Section 5. Where rates are stated in ranges, the actual pay rate will be determined as provided for in collective bargaining or individual employment agreements or by the Township Committee.

Section 6. This Ordinance shall take effect upon the approval and publication of this Ordinance according to law and shall be effective as of October 5, 2009.

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 2009-16.

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

COMMENTS – PROFESSIONALS – None present at this meeting

COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Richard Schwab

- beginning the process for the 2010 budget – notices have gone out to all Department Heads and Committees and Commissions with requests due back to him by November 16th – working with the CFO on a report trying to project the 2009 expenditures so they know where they stand
- reported that the New Jersey Department of Labor and Workforce Development made an inspection of the Police Department – gave list of items dealing with safety issues in the Police Department area – several written plans have to be implemented and Chief Sacalis is working on them

COMMENTS - DEPARTMENT HEADS

Police Department – Chief George Sacalis

- reported that they had no accidents on the “Put The Brakes on Fatalities” Day
- announced that the Fall Fest is this Saturday, October 24th
- reported that construction on Creek Road will start this week
- receiving reports of vehicles coming down Burlington Avenue from Beverly heading toward Riverside and they are getting in the opposite lane to make a left on Cooper Street – has contacted the County and asked them to come out and take a look at the striping on Burlington Avenue

Municipal Clerk – Mrs. Janice Lohr –

- under the AVR Historical Riverfront Solid Waste Collection – received bids for Delanco, Beverly, and Edgewater Park for solid waste collection – current contract with South Jersey Solid Waste expires December 1, 2009 – bid results are in; received 7 bids – lowest was thrown out because there was a fatal submission error – next lowest bid was South Jersey Sanitation that will go into effect 12/1/09 with two-one year extension options and represents a savings for the Township – need motion to accept bid at \$90,826.56 and they can memorialize it at the November 9th Township Committee meeting

Committeeman Mike Templeton noted that this is once a week pickup; not twice a week as previous contract.

The Municipal Clerk, Mrs. Janice Lohr stated that the residents will continue to use their current trash cans. The new front loader trash pickup is scheduled to begin in December 2010 under the MRRTS regional solid waste program.

Motion by Ed Devinney, seconded by Joan Hinkle to accept the bid of South Jersey Sanitation.

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

****SPECIAL PRESENTATION****

- Mr. Phil McFadden from the Recreation Commission was asked to come forward – Mr. McFadden presented Mayor Fitzpatrick with a clock plaque for her many years of dedication and

hard work on the Recreation Commission – she was also presented with a bouquet of flowers and pictures were taken

Mayor Fitzpatrick commented that she was honored that the Recreation Commission recognized her like this.

Mayor Fitzpatrick authorized the Municipal Clerk, Mrs. Janice Lohr to proceed with advertising RFP's for the professional appointments for 2010.

COMMENTS - TOWNSHIP COMMITTEE

Ed Devinney –

- thanked all the participating groups that were in attendance for Delanco's Community Day on Saturday, October 10, 2009 – mentioned that the Fire House was a good venue for the event

Joan Hinkle –

- attended meeting with Shade Tree Commission and representative of Cool Cities was present – they will be putting cards on the door knobs to let the residents know when they will be around to plant trees in their neighborhood
- reported that on Monday they had the Mock Election with 44 seventh graders from Walnut Street School – candidates will be attending Candidates Night on Monday, October 26, 2009 at the Walnut Street School

Mike Templeton –

- reported that Community Day was a success even though it rained most of the day
- announced that Fall Fest will be held on Saturday, October 24, 2009 at the Dunes and West Avenue Field

Marlene Jass –

- reported that the Historic Preservation Commission is working on changing the exhibit at the Library – also preparing for the re-dedication of the Joseph C. Phile field at the Fall Fest – continuing their work on the Mr. Diggs project
- DYSA is moving forward with their indoor soccer as well as their Riverfront Basketball
- announced the Fall Fest - the Recreation Commission put out a flyer called the Delanco Times that has a map on the back that shows the trail for the event
- went to the Walnut Street School this morning and listened to the candidates for the Mock Election

Mayor Fitzpatrick –

- received a letter from Steven Dilts from the State of New Jersey DEP notifying Delanco that they did receive a grant for road improvements on a portion of Second Street
- received a letter from Dorothy Talavera regarding the Gulch – thanked Joan Hinkle and John Fenimore for their work on this project
- questioned the Acting Township Administrator about reimbursement for the Hepatitis B shots – Mr. Schwab stated that he was away and will follow up on this request
- announced that there will be an emergency management meeting on October 22, 2009 at 7:00 PM at the Municipal Building
- received an email from Marissa Karamanoogian regarding the upcoming beef and beer to benefit DYSA
- received an email from Charlie Graziano who works with John Adler and informed them that there is a Veterans Clinic in Camden
- had an opportunity to submit an application for the Governors Environmental Excellence Award and she submitted Amanda Pawline for her "DROP" plastic bags project
- thanked the Acting Township Administrator, Mr. Richard Schwab for getting the notice out regarding the budget

- noted that she was unable to attend the Community Day because of a prior commitment

Committeewoman Marlene Jass mentioned that the Municipal Clerk, Mrs. Janice Lohr and the Deputy Clerk, Karen Zimmermann had a table representing Delanco Township at Community Day and had the File of Life, voter registration information, recycling and general Township information available for the Township residents.

The Municipal Clerk, Mrs. Janice Lohr also announced that the Delanco Free Rabies Clinic will be held on Saturday, November 7, 2009 from 10:00 to 12:00PM at the Delanco Municipal Public Works Garage located at 750 Coopertown Road.

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.”)

Committeeman Mike Templeton asked to have Resolution 2009-133 removed from the Consent Agenda.

CONSENT AGENDA:

RESOLUTION 2009-131

RESOLUTION EXPRESSING OPPOSITION TO A-3062 AND S-1303 REGARDING “INHERENTLY BENEFICIAL USES”

WHEREAS, A-3062 and S-1301 will establish renewable energy as an “inherently beneficial use” for purposes of municipal zoning; and

WHEREAS, A-3062/S-1303 defines “inherently beneficial use” as a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare, including, but not limited to, a hospital, school, child care center, group home or a wind, solar or photovoltaic energy facility or structure; and

WHEREAS, the Township of Delanco does not believe that renewable energy facilities demonstrate the same level of public benefit as is associated with other “inherently beneficial uses” including hospitals, schools, child care centers and group homes; and

WHEREAS, while the intent of A-3062/S-1303 is admirable, it permits solar panel fields and wind generation facilities to be placed anywhere in a municipality without regard to the comprehensive municipal master plan and zoning regulations or any other state planning initiatives; and

WHEREAS, while the Township of Delanco supports the intent to develop legislation that will encourage renewable energy in New Jersey, it must be done without negatively effecting the growth, farmland and open space preservation plans of municipalities; and

WHEREAS, municipalities are best equipped to address local land use issues and should be provided with discretion to establish appropriate regulations and controls consistent with their master plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey, hereby urges Governor Corzine to veto A-3062 and S-1303; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Senator Allen, Assemblyman Conaway and Assemblyman Connors, the New Jersey League of Municipalities and the Governor of the State of New Jersey.

TRUST	3,844.50
MCPL OPEN SPACE	1,490.00

GENERAL ACCOUNT – OCTOBER 19, 2009

25582	AMERICAN LAWN IRRIGATION INC	172.05
25583	BURLINGTON TIMES-CALKINS MEDIA	471.76
25584	COMCAST	105.21
25585	DELANCO SEWERAGE AUTHORITY	162.00
25586	DRAGER SAFET DIAGNOSTICS INC	142.00
25587	EAGLE POINT GUN	995.02
25588	FED EX	45.79
25589	FITZGERALD & CO	383.40
25590	GALLS INC	371.75
25591	HOME DEPOT CREDIT SERVICES	72.77
25592	HERITAGE CLEANERS & TAILOR LLC	122.50
25593	LOWTHERS SMALL ENGINE INC	69.00
25594	LAND ENGINEERING & SURVEYING	8,797.50
25595	MARC PUBLISHING COMPANY	163.50
25596	NJ LEAGUE OF MUNICIPALITIES	135.00
25597	PEDRONI FUEL CO	2,061.50
25598	PSE&G	9,389.00
25599	PARKER MCCAY-ATTORNEYS AT LAW	95.00
25600	RAYMOND COLEMAN & HEINOLD LLP	11,643.75
25601	SOUTH JERSEY SANITATION	11,231.25
25602	SIRCHIE FINGER PRINT LABS INC	179.40
25603	TREASURER COUNTY OF BURLINGTON	12,989.46
25604	TREASURER STATE OF NJ	16,371.43
25605	TURF EQUIPMENT & SUPPLY CO	17.62
25606	TD BANK NA	200,307.75
25607	VERIZON WIRELESS	511.00
25608	VITAL SERVICES GROUP	567.56
25609	XTEL COMMUNICATIONS INC	1,319.60
TOTAL		\$278,893.57

CAPITAL

1532	WINNER FORD OF CHERRY HILL	45,386.00
TOTAL		\$45,386.00

CURRENT

25580	PAYROLL ACCOUNT	36,497.25
25581	PAYROLL ACCOUNT	30,891.00
TOTAL		\$67,388.25

TRUST

2115	PANNONI ASSOCIATES INC	747.50
2116	TAYLOR DESIGN GROUP INC	3,097.00
TOTAL		\$3,844.50

MCPL OPEN SPACE TO MCPL OPEN SPACE

1022	HARRIS FENCE CORP	1,490.00
TOTAL		\$1,490.00

APPROVAL OF DEPARTMENT REPORTS

APPROVAL OF CONSENT AGENDA

Motion by Marlene Jass, seconded by Mike Templeton to approve the consent agenda

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

RESOLUTION 2009-133

AUTHORIZING UPDATE OF NJDEP/GREEN ACRES RECREATION & OPEN SPACE INVENTORY (ROSI)

WHEREAS, it has been a long held desire of the people of Delanco to enjoy the open space and recreational opportunities the land within our municipality offers; and

WHEREAS, the Township’s Master Plan identifies these lands and expresses the goal of preserving these valuable lands and waterfront resources today and the future; and

WHEREAS, the Township has acquired property known as Block 2100, Lots 12.01 & 12.02 which are adjacent to the County-owned Pennington Park ; and

WHEREAS. the Township has been awarded a Green Acres loan for recreational improvements for these lots; and

WHEREAS, the New Jersey Green Acres program offers significant protections for preserving land acquired with Green Acres funding assistance along with land already owned by the Township and ROSI listed under Green Acres regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington, state of New Jersey, that the Township Committee hereby adopts the attached updated ROSI dated September 21, 2009 that includes the following public lands in the Township of Delanco:

Block 307, Lot 2 Recreation building & tot lot playground / Block 309, Lot 1 / Block 310, Lot 1 Joseph Phile Field / Block 1705, Lot 1 Babe Ruth Field / **Block 1401, Lot 1 Gateway Park / Block 1201, Lots 1.01 & 1.02 Zurbrugg waterfront** / Block 2300, Lot 5 Hawk Island / Block 2100, Lot 12 and **12.01** Delanco Pennington Farm Park

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to submit a certified copy of this Resolution with the updated ROSI listing to NJDEP / Green Acres.

Committeeman Mike Templeton stated that this Resolution was news to him and the EAB Board that this was being presented tonight. A discussion ensued. Mayor Fitzpatrick stated that there was a notice of update for the inclusion of Gateway Park and the Zurbrugg Waterfront properties in a letter dated September 9, 2009. Mr. Templeton also stated that the ROSI List does not appear to be updated at all with the extra lots. A discussion ensued regarding the ROSI list. Mayor Fitzpatrick reiterated that these items have to be added because Delanco is receiving a development loan from Green Acres for the Pennington property and the Township is receiving an acquisition grant fro the Zurbrugg waterfront lots.

Motion by Joan Hinkle, seconded by Marlene Jass to approve Resolution 2009-133.

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

ORDINANCE 2009-17

BOND ORDINANCE PROVIDING FOR THE TOWNSHIP'S DEVELOPMENT OF PENNINGTON FARM PARK LOCATED AT BLOCK 2100, LOTS 12 & 12.01 ON CREEK ROAD IN AND BY THE TOWNSHIP OF DELANCO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

1ST READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR NOVEMBER 9, 2009

Mayor Fitzpatrick stated that she had a question as to why they needed bonding for this. The Township Solicitor, Mr. Heinold informed her that this is just a guarantee of payment.

Motion by Marlene Jass, seconded by Joan Hinkle to introduce Ordinance 2009-17 on first reading by title only and set public hearing date for November 9, 2009

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.

1. Phil McFadden, 410 Maple Avenue, commented on the bond issue for the \$300,000. Mr. McFadden commented that he has looked at this both ways back to 12 years ago when the money (\$465,000) was bonded to have the "Field of Dreams" done and then the money disappeared. Mr. McFadden stated that if the Township accepts the \$300,000 loan; then they can't touch that money. A discussion ensued. Mr. McFadden stated that he would like to see the Township go for the loan and get the fields going for the children.

MEETING CLOSED TO THE PUBLIC

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

CORRESPONDENCE – Municipal Clerk – Mrs. Janice Lohr – Nothing to report

DISCUSSION ITEMS:

1. Request to Approve Performance Guarantee as 100% Bonds with no Cash Guarantee – Phase I Residential - Abundant Life/Living Springs Project

Mayor Fitzpatrick acknowledged that Aubrey Fenton was in the audience tonight and asked if anyone had any questions regarding this performance bond. Mayor Fitzpatrick stated that she discussed the attorney fees with him and the Township should have those funds within the week.

Motion by Joan Hinkle, seconded by Mayor Fitzpatrick to approve the performance bonds as 100% bond with no cash guarantee.

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

2. Report - JIF Safety Committee

Committeeman Mike Templeton stated that this will be continued until the November 9, 2009 Township Committee meeting.

3. Participation in River Line Quiet Zone Feasibility Study

Mayor Fitzpatrick stated that there are five towns involved in the feasibility study and there are five towns left to do their study. Each town that wants to participate must pay \$1000.00 to participate in the study. Mayor Fitzpatrick felt that this study is worthwhile for the residents.

Motion by Marlene Jass, seconded by Joan Hinkle to participate in the River Line Quiet Zone feasibility study.

ROLL CALL: Devinney, abstain; Hinkle, yes; Jass, yes; Templeton, yes; Fitzpatrick, yes
Committeeman Ed Devinney asked if he could change his vote to the affirmative. It was duly noted for the record.

4. Receipt of Request for Handicapped Parking Space

Mayor Fitzpatrick stated that the Township received a request for a handicapped parking space for Mr. Closkey. The Municipal Clerk, Mrs. Janice Lohr stated that this cannot be done by motion but that it has to be done by ordinance. Mrs. Lohr stated that she has been working with Chief Sacalis on gathering a list of handicap parking spaces that are in existence in the Township to see if they are all currently being used. Mrs. Lohr stated that they would like to update the code all at one time rather than piece by piece. Mrs. Lohr stated that they would also like to be able to amend future requests by resolution rather than the ordinance process. Mayor Fitzpatrick wanted to make sure this resident gets the sign as soon as possible.

5. 2010 Census – Complete Count Committee

Mayor Fitzpatrick commented that they have to get the committee going. The Municipal Clerk, Mrs. Janice Lohr stated that they want to make sure everyone is getting their forms and there is an accurate count of the Township. Mayor Fitzpatrick suggested that the complete count committee consist of the district people involved from both parties because they know their area and district. Mayor Fitzpatrick wants these individuals to attend the next Township Committee meeting on November 9, 2009.

Committeewoman Marlene Jass asked Committeeman Mike Templeton about the EAB and if they are working on a project because they are going to have a table at the Fall Fest.

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 Lohr, RMC
Municipal Clerk
October 19, 2009