

## **TOWNSHIP COMMITTEE MEETING – APRIL 19, 2010**

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

**ROLL CALL:** Hinkle, present; Jass, present; Lord, absent; Templeton, present; Fitzpatrick, present

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

### **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, 2010 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

### **\*\*SPECIAL PRESENTATION BY DIETZ & WATSON\*\***

Mayor Fitzpatrick announced that this presentation will be postponed until later in the meeting because the representative from Dietz and Watson is not present yet.

### **ORDINANCE 2010-4**

#### **ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE TOWNSHIP OF DELANCO, SECTION 10-6 “POLICE”, SUB-SECTION T. “OUTSIDE EMPLOYMENT”, PARAGRAPH (3) “CONTRACTS WITH PRIVATE EMPLOYERS OR PUBLIC ENTITIES”**

#### **2<sup>ND</sup> 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 a provision be added to address the need to provide police services prior to the receipt of a deposit of monies for such services; and

**WHEREAS**, the Township desires to amend the Code to permit this provision at the discretion of the Chief of Police and the Township Administrator.

**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 by adding an additional sub-paragraph 3(c) as follows:

- (c) As an alternative, the Chief of Police, with the approval of the Township Administrator, may waive the requirement that a private employer or public entity deposit monies in advance. This alternative may be used when the private employer or public entity is a public utility or is determined by the Chief to be dependable in making payments for the services of the Police Officer(s) within a two (2) week period after the services are performed, based on past history and/or appropriate

performance guarantees. This alternative may be used solely at the discretion of the Chief who may require advance payment at any time if there is any question of the private employer or public entity being willing or able to meet their quick payment responsibility.

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 Marlene Jass, seconded by Joan Hinkle to adopt Ordinance 2010-4

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

### **ORDINANCE 2010-5**

#### **NAMING STREET “ROBBINS LANE” IN HONOR OF DR. MORRIS A. ROBBINS**

#### **2<sup>ND</sup> READING BY TITLE ONLY AND PUBLIC HEARING**

WHEREAS, the Township Committee of the Township of Delanco (“Township”) has a street within its municipal boundaries and within its control, which street is located at the end of Magnolia Street and informally referred to as “Glitter’s Gulch”; and

WHEREAS, the street is a proposed street, 50 feet wide, as shown on the Tax Map, extending northerly from Second Street a distance of approximately 411 feet to the Delaware River and being bordered on the east by Lot 4 of Block 812, and on the west by Lot 1 of Block 807, as reflected on the exhibits attached hereto; and

WHEREAS, the Township Committee of the Township of Delanco desires to name the street “Robbins Lane” in honor of Dr. Morris A. Robbins, an accomplished orthopedic surgeon and longtime Delanco resident, who overcame personal adversity to become a physician and provide medical care to many in need; and

WHEREAS, the Township Committee of the Township of Delanco hereby seeks to name this street Robbins Lane in accord with N.J.S.A. 40:67-1 and N.J.S.A. 40:49-1, et seq.

NOW , THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that a proposed street 50 feet wide, as shown on the Tax Map, extending northerly from Second Street a distance of approximately 411 feet to the Delaware River and being bordered on the east by Lot 4 of Block 812, and on the west by Lot 1 of Block 807, and as further referenced on the attached exhibits is hereby named “Robbins Lane.”

BE IT FURTHER ORDAINED that the Township Clerk is hereby authorized to cause a copy of this Ordinance to be filed with the Office of the County Clerk, if so required.

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 and publication in accordance with the law.

Deputy Mayor Joan Hinkle explained briefly explained the history of Glitter's Gulch and the proposed name change to Robbins Lane.

Mayor Fitzpatrick read Ordinance 2010-5 to the public.

### **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 Marlene Jass to adopt Ordinance 2010-5

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

### **\*\*\*PROCLAMATION\*\*\***

### **IN MEMORY AND HONOR OF THE DISTINGUISHED CAREER AND ACCOMPLISHMENTS OF DR. MORRIS A. ROBBINS**

Mayor Fitzpatrick read the proclamation honoring Dr. Morris A. Robbins to the public. Deputy Mayor Joan Hinkle recognized Mrs. Robbins for her recent 91<sup>st</sup> birthday. Deputy Mayor Joan Hinkle presented flowers to Mrs. Robbins. Mrs. Hinkle presented the new street sign for Robbins Lane and said that the Superintendent of Public Works will install the street sign.

### **PROCLAMATION**

### **IN MEMORY AND HONOR OF THE DISTINGUISHED CAREER AND ACCOMPLISHMENTS OF DR. MORRIS A. ROBBINS**

**WHEREAS, *Dr. Morris Robbins***, a longtime resident of Delanco, overcame personal adversity to become an accomplished orthopedic surgeon; and

**WHEREAS, *Dr. Morris Robbins***, provided medical care to and helped countless numbers of people in their time of need during his long and successful career; and

**WHEREAS, *Dr. Morris Robbin's*** innovative spirit and selfless dedication to his profession, family and residents, serves as an inspiration and example to all.

**NOW THEREFORE BE IT PROCLAIMED**, that the Mayor, the Delanco Township Committee and all the residents of the Township of Delanco, hereby join in this tribute to ***Dr. Morris Robbins***, a great surgeon and extraordinary gentleman.

Mayor Fitzpatrick stated that there are a couple of items that are not on the agenda and they will be addressed now.

Mayor Fitzpatrick stated that there is a man present tonight that is on the Delanco Emergency Squad and he is the Delanco Township Emergency Management Coordinator and his name is Paul Dragos. Mayor Fitzpatrick presented Mr. Dragos with a plaque from the Burlington County

JIF in recognition of his outstanding safety efforts on behalf of Delanco Township residents.

Mayor Fitzpatrick stated that another member of the Delanco Emergency Squad was recently honored at the VFW in Delran for the EMT of the Year Award. Mayor Fitzpatrick announced that Aimee Johnsen won the VFW EMT of the Year Award and the State Award that will be presented in Wildwood at the State Convention. Mayor Fitzpatrick read the letter written by William Dillenbeck, President of the Delanco Emergency Squad nominating Aimee Johnsen for the EMT of the Year.

**ORDINANCE 2010-6**

**AMENDING CHAPTER 295-31.1 GOVERNING “VEHICLES AND TRAFFIC”  
MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS  
TRAFFIC REGULATIONS APPLICABLE TO “ABUNDANT LIFE PROJECT” AT  
BLOCK 2200, LOTS 2.01 AND 3 AND REGULATING THE USE OF SAID  
ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR  
VEHICLES**

**2<sup>ND</sup> READING BY TITLE ONLY AND PUBLIC HEARING**

**WHEREAS**, Living Springs Senior Residence, LLC, a wholly-owned entity of Abundant Life Fellowship, Inc. is the developer of the project at Block 2200, Lots 2.01 and 3 (the “Property”); and

**WHEREAS**, Abundant Life Fellowship, Inc. filed application #2-09 (the “Application”) for preliminary major subdivision to create nine (9) lots plus a conforming remainder lot out of the Property and for preliminary site plan approval as more particularly shown on that certain plan entitled Preliminary Major Site Plan and Subdivision for Living Springs prepared by Bohler Engineering, which plan was approved on March 24, 2009, by the Delanco Township Joint Land Use Board, and which plan is on file or will be filed in the office of the Board Secretary (“Preliminary Subdivision & Site Plan”); and

**WHEREAS**, Living Springs Senior Residence, LLC has filed a written consent with the Township of Delanco that the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots as shown on the above-referenced approved site plan, which request is consistent with and required by the Board’s Resolution of Approval, Resolution 2009-9; and

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Delanco that the following regulations shall be enforceable on the Property:

**Section I.**

**§ 295-31.1. Living Springs (Abundant Life).**

A. General Parking.

(1) All vehicles must park in designated areas and between the lines provided.

(2) No person shall stop or stand a vehicle upon any of the streets, crosswalks or parts of streets described below, except in areas covered by other parking restrictions.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
All driveways & aisles	Both	All	As indicated on the site plan

B. Handicapped Parking.

All stalls shall be no less than 8’ x 18’ and van accessible using an 8’ clearance area or as shown on the attached site plan (Reserved Parking Sign and Penalty Plate), in the designated parking

areas for persons who have been issued the Handicapped Parking Permit by the Division of Motor Vehicles.

All vehicles that are granted specialty parking in the section such as police vehicles, ambulances, teachers, etc. must be properly identified and the reserved parking spaces must be shown on the attached site plan.

C. Speed Limits and Advisory Signs.

The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
All driveways and aisles	15	Entire Length

Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits.

Additional regulatory and advisory signs and pavement workings shall be installed as shown on the attached sketch by the Engineering Department

**Section II.**

All signs, posts or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Edition of the Manual on Uniform Traffic Control Devices, pursuant to *N.J.S.A.* 39:4-198 and *N.J.S.A.* 39:4-183.27.

**Section III. Penalty:** Unless another penalty is expressly provided for by the New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty pursuant to the General Penalty provisions at Chapter 1-14, et seq. of this Code.

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

**Section V. Severability:** If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order of Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of the Ordinance are hereby declared to be severable.

**Section VI. Effective Date:** This ordinance shall take effect immediately upon final adoption and publication according to 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 Marlene Jass to adopt Ordinance 2010-6.

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

**\*\*\*\*PROCLAMATION\*\*\*\* – ARBOR DAY, APRIL 30, 2010**

Mayor Fitzpatrick read the proclamation for Arbor Day to the public and stated that it was to be observed on April 30, 2010.

**PROCLAMATION**

*Whereas*, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

*Whereas*, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas*, Arbor Day is now observed throughout the nation and the world, and

*Whereas*, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

*Whereas*, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas*, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas*, trees, wherever they are planted, are a source of joy and spiritual renewal.

*Now, Therefore*, I, KATE FITZPATRICK, Mayor of the Township of Delanco, do hereby proclaim April 30, 2010 as

### ***ARBOR DAY***

In the Township of Delanco, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further*, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

#### **COMMENTS – PROFESSIONALS**

**Township Solicitor – Mr. Douglas Heinold** – Nothing to report

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

- struggling with the 2010 budget – another budget workshop meeting scheduled for Monday, April 26, 2010 at 7:00PM

#### **COMMENTS - DEPARTMENT HEADS**

##### **Police Department – Chief George Sacalis**

- ready to go online with Nixle – residents can sign up for emails and text messages to be sent to them – officers are training on the system this week – blasts from other townships are also available – will have a link on Delanco Township website

Mayor Fitzpatrick added that residents can sign up for the Delanco Township news blast also.

Committeeman Mike Templeton questioned Chief Sacalis about the old police vehicles.

##### **Public Works – Mr. John Fenimore**

- applied for grant money from FEMA for the winter storms and will be getting money back from FEMA and the County
- picked up brush the entire month of March – made 14 boxes – went through four sets of blades
- people are putting leaves in bags and this is not permitted
- used 5 ½ tons of asphalt
- started preparing the ball fields – completed West Avenue for DYSA opening day
- had storm water inspection from State – have to make a few minor changes
- began cutting grass last week – having problems with mowers
- many trees came down – one very large tree on Perkins Lane
- cleaned pipe out at the end of Union Avenue – will fill in the emergency boat ramp with stone
- clogged pipe at railroad tracks – will have NJ Transit there on Friday to clean out pipe

A discussion ensued about the pipe.

**Code Enforcement/Zoning Officer**

- had 24 complaints for month of March – 16 complied – 8 pending
- issued 16 Certificates of Habitability for commercial establishments
- approved an administrative review – three fence permits
- sending notices to residents to cut their grass – 4 inch height is new code
- having problem with basketball poles in the Township right of ways (discussion ensued regarding the permanent basketball poles)

**Municipal Clerk – Mrs. Janice Lohr –**

- reminded everyone that tomorrow is the annual School election – poles are open from 2-9 PM encouraged everyone to go out and vote

**COMMENTS - TOWNSHIP COMMITTEE**

**Joan Hinkle –**

- reported that it was a pleasure attending the VFW dinner achievement night where Aimee Johnsen received her award for EMT of the Year
- reported that the Shade Tree Commission is working on Arbor Day and they are also working toward another Tree City USA designation
- reported that she watched the Oprah Winfrey show last week and saw a Delanco resident, Sue Compton win the Pillsbury contest award

**Mike Templeton –**

- attended a conference in Tuckerton about sea level rise and preparing your community
- encouraged everyone to vote tomorrow in the school election
- acknowledged and thanked Mr. Schwab, Mr. Heinold, Mrs. Lohr and Ms. Zimmermann for their efforts in getting out the paperwork for deadlines to satisfy insurance requirements to keep our insurance rates reasonable
- read some statistics for school drop-outs

**Marlene Jass –**

- announced that the Recreation Commission Chairman is present and will give his report in open session
- attended DYSA opening day for baseball – had 183 sign-ups for baseball
- has been involved in the New Jersey Sustainable Energy meeting – they went out for auction for gas and now they are going out for auction for electricity – auction will take place between May 4-14<sup>th</sup> and there are approximately 116 members in the SEM – this will also include the Townships street lights
- announced the Delanco In Bloom Garden Tour on June 12, 2010

**Mayor Fitzpatrick –**

- attended the Meet and Greet and the VFW to meet the new Colonel that directs the Junior ROTC program at RHS
- attended two Easter egg hunts in the Township – one at the Washington Fire House and one at West Avenue field
- had a sub-committee meeting regarding the proposed Pennington Park recreation field – committee met and reviewed plans and discussed them – will be a presentation at the May 3, 2010 Township Committee Meeting by the Township Planner and Township Engineer
- attended the VFW Awards dinner where Aimee Johnsen won her award – heart warming to see how the VFW continues to recognize first responders and includes Delanco and Delran in all their efforts
- have been working on the budget and there is another budget workshop scheduled for April 26, 2010 at 7:30PM
- attended the Seniors Meeting and they had the school board budget presented to them by Mr.

Walt Boyer from the Delanco Schools

- attended opening day for DYSA at the West Avenue field and the children looked “awesome” in their new uniforms
- attended the Beef and Beer at the Fire House and had a good time
- reported that the Recreation Commission held their meeting on April 8, 2010 and one of the topics of discussion was the naming of the Pennington Park soccer field – they came up with a contest for naming the park and felt it would be a creative way for the residents of Delanco to name their park

Mayor Fitzpatrick stated that the Recreation Commission wanted to get the Township Committee’s approval for their idea of the contest for the naming of the park. The Township Committee members all agreed to approve the contest idea.

**\*\*SPECIAL PRESENTATION BY DIETZ & WATSON\*\***

Mayor Fitzpatrick acknowledged that Mr. John Tsigounis is present. Mayor Fitzpatrick stated that last year the Township was able to stop Winzinger from obtaining a permit for their concrete recycling facility on Coopertown Road. Mayor Fitzpatrick stated that Dietz and Watson appreciated Delanco Township’s efforts to stop the concrete recycling facility that is located next to their building.

Mayor Fitzpatrick introduced Mr. John Tsigounis and stated that he will be presenting Mr. William Dillenbeck, President of the Delanco Emergency Squad with a check for \$5,000.00 for the Delanco Emergency Squad. Mr. Tsigounis also presented the Mayor with a check for \$1,000.00 for the Delanco Library.

Mayor Fitzpatrick stated that Dietz and Watson is a good neighbor and they enjoy having them in Delanco Township.

Mr. Dillenbeck thanked Mr. Tsigounis for the generous donation. Mr. Dillenbeck stated that the former NJ State Governor depleted the emergency training fund for New Jersey emergency squads. Mr. Dillenbeck stated that New Jersey EMT’s must obtain 48 CEU’s every three years to renew their licenses.

**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 Ordinance 2010-07 to be removed from the Consent Agenda.

**ORDINANCE 2010-7**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF DELANCO, SPECIFICALLY CHAPTER 110 ENTITLED "ZONING" TO CREATE A NEW AFFORDABLE HOUSING DISTRICT AT §110-34.3 ENTITLED “PLANNED DEVELOPMENT – AFFORDABLE HOUSING - 1” FOR BLOCK 2100, LOT 1, KNOWN AS THE RHAWN PIPE SITE AND BLOCK 500, LOT 2.01, KNOWN AS THE PELLEGRINO SITE  
1<sup>ST</sup> READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR MAY 17, 2010**

Mayor Fitzpatrick asked the Township Solicitor, Mr. Heinold to explain Ordinance 2010-7.

Mr. Heinold explained the ordinance to the public that involved COAH requirements. Mr. Heinold stated that the Township is presently in litigation regarding the COAH regulations. Mr. Heinold stated that this is a court order and the Township is required to adopt these ordinances. Mr. Heinold noted that there is a Sunshine Provision in the ordinance that allows the Township to revisit this if the COAH regulations change and there is a reduction in the Township's obligations; that this ordinance will be null and void and will revert to the prior zoning.

Motion by Joan Hinkle, seconded by Marlene Jass to introduce Ordinance 2010-7 upon first reading and set public hearing date for May 17, 2010.

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

**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: NEW BUSINESS**

**RESOLUTION 2010-57**

**LOCAL UNIT CIVIL RIGHTS RESOLUTION**

**A RESOLUTION TO AFFIRM THE TOWNSHIP OF DELANCO'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Township of Delanco to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Township of Delanco has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Township Committee of the Township of Delanco that:

**Section 1:** No official, employee, appointee or volunteer of the Township of Delanco by whatever title known, or any entity that is in any way a part of the Township of Delanco shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Delanco's business or using the facilities or property of the Township of Delanco.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws

concerning discrimination, harassment and civil rights.

**Section 4:** The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Delanco as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township of Delanco's commitment to the implementation and enforcement of this policy.

**RESOLUTION 2010-58  
REDUCTION OF PERFORMANCE BOND AT CREEKSIDE DEVELOPMENT  
(PREVIOUSLY BLOCK 1802, LOT2)**

**RESOLUTION 2010-59  
SUPPORTING CREEKSIDE AT DELANCO, LLC APPLICATION AND ACCEPTANCE  
OF BALANCED HOUSING FUNDS**

**WHEREAS**, Creekside at Delanco, LLC ("Creekside") was granted preliminary and final major subdivision approval for its development on Burlington Avenue, formerly known as Block 1802, Lot 2; and

**WHEREAS**, in accord with said approval procedures and the Municipal Land Use Law, N.J.S.A. 40:55D-53, et seq., Creekside posted a performance bond for the installation of certain on-tract and off-tract improvements; and

**WHEREAS**, Creekside obtained prior reductions to said performance bond by Resolutions 2008-72, 2008-104 and 2008-132; and

**WHEREAS**, Creekside requested a reduction of its performance bond and by letter of December 22, 2009 (attached hereto), the Township Engineer reviewed the request for the reduction of the performance bond, and based upon inspection, recommended said release.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that the performance bond posted by Creekside at Delanco, LLC is hereby reduced in accord with the Township Engineer's letter of December 22, 2009, subject to the following conditions: (1) posting of a maintenance bond in

accord with the Municipal Land Use Law, N.J.S.A. 40:55D-53, et seq., for 15% of the amount of the improvements as calculated by the Township Engineer, which amount must be approved by the Township Engineer and the form of bond approved by the Township Attorney, and (2) posting of all escrows as indicated and requested by the Joint Land Use Board Secretary of March 26, 2010.

**PAYMENT OF BILLS**

<u>ACCOUNT</u>	<u>AMOUNT</u>	
	<u>4/5/2010</u>	<u>4/19/2010</u>
GENERAL	\$577,675.10	\$365,256.39
PAYROLL	113,082.38	65,043.78
TRUST	16,500.10	1,911.00
DOG TRUST		850.00

**GENERAL ACCOUNT – APRIL 5, 2010**

25987	AMERICAN ASPHALT CO INC	284.25
25988	ASSN OF NJ RECYCLERS	65.00
25989	BURLCO DETECTIVES ASSOCIATION	10.00
25990	BURLCO MCPL COURT ADMIN ASSN	225.00
25991	BAUR MUNICIPAL SUPPLIES	165.00
25992	CERTIFIED SPEEDOMETER SERV INC	140.00
25993	CLEAN RENTAL SERVICES INC	201.80
25994	CLARKE CATON HINTZ	2,769.05
25995	CCP INDUSTRIES	106.49
25996	COMCAST	105.22
25997	ROBERT CRABTREE	250.00
25998	DELANCO TWP BOARD OF EDUCATION	449,675.09
25999	DELANCO FIRE COMMISSIONERS	25,583.33
26000	DELANCO PUBLIC LIBRARY ASSOC	3,357.00
26001	DELANCO TWP RECREATION ACCT	2,000.00
26002	EIC INSPECTION AGENCY CORP	3,694.20
26003	GALLS INC	225.83
26004	HOME DEPOT CREDIT SERVICES	42.20
26005	ROBERT HUDNELL	50.40
26006	HULSE & GERMANO ESQS LLC	2,200.50
26007	JENNIFER L ESPOSITO	30.00
26008	LAWMEN SUPPLY CO OF NJ INC	675.00
26009	LOWTHERS SMALL ENGINE INC	67.00
26010	ELAINE LESHER	73.00
26011	MICROSYSTEMS NJ.COM LLC	120.00
26012	JOHN MILLER	880.00
26013	MCAA SPRING CONFERENCE	200.00
26014	NJ AMERICAN WATER CO	215.95
26015	NJ DIVISION OF FIRE SAFETY	449.00
26016	NJ STATE HEALTH BENEFIT PROG	36,511.30
26017	OCEAN LACE RESORT & SPA	319.68
26018	PEDRONI FUEL CO	7,500.03
26019	PITNEY BOWES	168.00
26020	PSE&G	10,887.84

26021	PAYROLL ACCOUNT	7,720.59
2602	PARKER MCCA Y-ATORNEYS AT LAW	2,208.84
26023	QSEND TECHNOLOGIES INC	3,546.34
26024	RIVERSIDE NAPA AUTO PARTS	85.10
26025	RECYCLE BANK LLC	914.40
26026	SAFETY AUTO REPAIR	2,773.50
26027	STEWART BUSINESS SYSTEMS	202.12
26028	TOP NOTCH TREE SERVICE	2,460.00
26029	TAYLOR DESIGN GROUP INC	6,420.00
26030	MICHAEL W THOMPSON	880.00
26031	TURF EQUIPMENT & SUPPLY CO	359.78
26032	VERIZON CABS	188.11
26033	VERIZON	440.96
26034	W B MASON CO INC	228.20
<b>TOTAL</b>		<b>\$577,675.10</b>

**TRUST**

2155	LAND ENGINEERING & SURVEYING	6,385.00
2156	TAYLOR DESIGN GROUP INC	5,240.85
2157	PENNONI ASSOCIATES INC	535.00
2158	HULSE & GERMANO ESQS LLC	884.25
2159	BIRDSALL ENGINEERING INC	3,455.00
<b>TOTAL</b>		<b>\$16,500.10</b>

**GENERAL ACCOUNT – APRIL 19, 2010**

26038	CRYSTAL SPRINGS	60.02
26039	CLARKE CATON HINTZ	3,513.39
26040	CLOUGH HARBOUR & ASSOC LLP	1,147.00
26041	C STEVENSON & SON INC	400.00
26042	COMCAST	105.22
26043	EAST COAST GANG INVESTIGASTORS	25.00
26044	GENERAL CODE PUBLISHERS	1,195.00
26045	GOVCONNECTION INC	689.00
26046	HERITAGE CLEANERS & TAILOR LLC	85.00
26047	INVERSO & STEWART	8,500.00
26048	LAND ENGINEERING & SURVEYING	1,923.75
26049	MUNICIPAL CAPITAL CORP	300.00
26050	MGL PRINTING SOLUTIONS	173.00
26051	MICHELMAN & BRICKER PC	555.00
26052	NJ SHADE TREE FEDERATION	120.00
26053	NJ STATE ASSN-CHIEFS OF POLICE	400.00
26054	NJ LEAGUE OF MUNICIPALITIES	6.67
26055	PEDRONI FUEL CO	5,791.50
26056	PITNEY BOWES	81.58
26057	PSE&G	9,328.31
26058	PAYROLL ACCOUNT	260,489.00
26059	PARKER MCCA Y-ATTORNEYS AT LAW	1,856.00
26060	PENNONI ASSOCIATES INC	726.25
26061	PERFECT SERVICES CO LLC	3,619.83

26062	RIVERSIDE NAPA AUTO PARTS	23.75
26063	RECYCLE BANK LLC	913.80
26064	RAYMOND COLEMAN & HEINOLD LLP	11,043.90
26065	SAFETY AUTO REPAIR	731.88
26066	SOUTH JERSEY SANITATION	7,568.88
26067	TERMINIX INTERNATIONAL	125.00
26068	TREASURER COUNTY OF BURLINGTON	11,224.38
26069	TREASURER, STATE OF NJ	100.00
26070	TOWNSHIP OF DELRAN	3,860.45
26071	THIS & THAT UNIFORMS	411.00
26072	TD BANK OF NA	25,760.25
26073	VERIZON WIRELESS	525.16
26074	W B MASON CO INC	506.36
26075	XTEL COMMUNICATIONS INC	1,371.06
<b>TOTAL</b>		<b>\$365,256.39</b>

**TRUST**

2160	TAYLOR DESIGN GROUP INC	399.75
2161	HULSE & GERMANO ESQS LLC	202.50
2162	LAND ENGINEERING & SURVEYING	1,308.75
<b>TOTAL</b>		<b>\$1,911.00</b>

**DOG**

1433	COUNTYWIDE ANIMAL CARE	850.00
<b>TOTAL</b>		<b>\$850.00</b>

**APPROVAL OF MINUTES – 3/1/10 & 3/15/10**

**APPROVAL OF DEPARTMENT REPORTS**

**APPROVAL OF BUSINESS LICENSES**

2010-6, 2010-12, 2010-21, 2010-22, 2010-23, 2010-24 2010-25, 2010-26, 2010-27, 2010-28, 2010-29, 2010-31, 2010-32, 2010-33, 2010-34

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

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

**OLD BUSINESS:**

Mayor Fitzpatrick talked about the magazine “Burlington The Beautiful” and stated that it is an advertising marketing tool that the County compiles for distribution in Burlington County. Mayor Fitzpatrick stated that there were two reasons she is bringing it to everyone’s attention. Mayor Fitzpatrick stated that there was an article in the magazine about Pennington Park and the things that they have planned for the park. The second thing she said that if there are any organizations in the Township that have something that is going to occur between July 1<sup>st</sup> and October 1<sup>st</sup>; it can be published in this magazine. Mayor Fitzpatrick stated that the information must be given to the County by June 2, 2010.

Mayor Fitzpatrick announced that Mr. Paul Newman has returned to the meeting and asked him

to come forward to discuss his problem. Mr. Newman, 306 Hazel Avenue asked the Township Committee if he could keep the basketball pole in place in front of his property. Mr. Newman stated that he would supply the letter from his insurance company and added that the basketball pole is convenient for the children and improves the quality of life for his children.

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

Mayor Fitzpatrick opened the meeting to the public.

- Keith Letizio, Chairman of the Recreation Commission stated that he handed out a three page letter to the Township Committee members. Mr. Letizio wanted to go over some of the improvements that the Recreation Commission has made around the Township.

Mr. Letizio mentioned the Skate Board Park and a discussion ensued about the park.

Mayor Fitzpatrick stated that the Police Department should enforce the rules at the Skate Board Park.

Mr. Letizio announced the activities they have scheduled for the future.

Committeeman Mike Templeton asked if the Skate Board Park could be moved to a different location.

A discussion ensued regarding the Skate Board Park.

- Mal Anderson, 725 Perkins Lane, Edgewater Park, stated that he is present at the encouragement of his neighbors. Mr. Anderson wanted it put on record that residents on Perkins Lane are experiencing problems with the ground water saturation due to the blockage at the Light Rail. Mr. Anderson feels that it is imperative that they go on record that they have asked for help from a lot of different agencies. Mr. Anderson indicated that he had spoken to Congressman John Adler about this problem and was hoping he could help in some way. A lengthy discussion ensued about this situation.

The Township Solicitor, Mr. Douglas Heinold stated that Delanco Township does not actually “own” the problem and from a legal standpoint; Delanco could be technically correct in doing nothing on the issue because it is not being created by any Delanco owned property. Mr. Heinold stated that the Township has repeatedly tried to get the County and the property owners, NJ Transit and the DEP involved. Mr. Anderson wants everybody to get together and fix this problem for the long term.

Mr. John Fenimore suggested sending a letter to the Commissioner of DEP to ask for his assistance in this matter. Mayor Fitzpatrick will send a cover letter along with the findings from the Township Engineer to the DEP Commissioner.

- David Morris, 811 Perkins Lane, Edgewater Park expressed his concern with this issue because it does affect his property. Mr. Morris asked the Delanco Township Solicitor whose problem this is legally. Mr. Heinold tried to explain all the entities involved. Mr. Heinold stated that he feels it is the property of New Jersey Transit and that they should be responsible. Mr. Morris questioned what role Delanco was going to take in making sure that New Jersey Transit fixes the problem; both short term and long term.

Committeeman Mike Templeton commented that he has been making calls and talking with different agencies and it has been determined that the right of way or tracks are actually owned by Conrail and NJ Transit leases it from Conrail.

### **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 principal of the Delanco Schools thanking Delanco Township for bringing the Earth Science Circus to students of the Delanco Schools this year.

**DISCUSSION ITEM:**

**PROPOSED ORDINANCE**

**AMENDING CHAPTER 295-40 GOVERNING “STOP INTERSECTIONS”**

Mayor Fitzpatrick stated that a resident of Delanco contacted her and she had Chief Sacalis checked the streets to see what intersections needed stop signs on Second Street. Mayor Fitzpatrick sent the information to the Township Solicitor, Mr. Douglas Heinold and he prepared an ordinance. Mayor Fitzpatrick stated that the streets earmarked for street signs on Second Street would be the cross streets of Edgewood, Union and Lilac Lane.

A discussion ensued as to whether other streets on Second Street should get signs too.

**ORDINANCE 2010-8**

**AMENDING CHAPTER 295-40 GOVERNING “STOP INTERSECTIONS”**

Motion by Marlene Jass, seconded by Joan Hinkle to introduce Ordinance 2010-8 on first reading by title only and set a public hearing date of May 17, 2010 for second reading.

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

Mayor Fitzpatrick reminded the public of the Spring Town Wide Yard Sale that will be on Saturday, May 1, 2010. Ms. Fitzpatrick stated that the Women’s Club will have a bake sale at 211 Union Avenue and tickets will be available for the Garden Club Tour.

The Superintendent of Public Works stated that he wants to have a Clean Communities Clean Up Day and plans to have it on Saturday, May 15, 2010 at the Public Works Garage. Dumpsters will be available for residents of Delanco Township.

**ADJOURNMENT**

Motion by Joan Hinkle, seconded by Marlene Jass to adjourn the meeting.

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

Janice M. Lohr, RMC  
Municipal Clerk  
April 19, 2010