

TOWNSHIP COMMITTEE MEETING – JULY 2, 2007

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

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

Also Present: Twp. Administrator, Mr. Steven Corcoran; Twp. Engineer, David Denton; Twp. Solicitor, Mr. Douglas Heinold; Municipal Clerk, Mrs. Janice Lohr; Deputy Municipal Clerk, Karen Zimmermann; Supt. Of Public Works, Mr. John Fenimore; Chief of Police, Chief Parsons; Phillip Goffredo, Code Enforcement Officer

FLAG SALUTE

Mayor Ouellette led the flag salute.

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 2, 2007 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 2007-8

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**

HEARING OPEN TO THE PUBLIC

Mayor Ouellette opened the hearing to the public.

- John Horn, 301 Burlington Avenue, commented about pit bulls in Delanco. Mayor Ouellette informed Mr. Horn that discussion was open regarding Ordinance 2007-8 only and he could be heard during the regular open meeting session.

HEARING CLOSED TO THE PUBLIC

Since there were no comments or questions from the public, Mayor Ouellette closed the hearing to the public.

Motion by Joan Hinkle, seconded by Ed Devinney to adopt Ordinance 2007-8

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

ORDINANCE 2007-8

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”

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:

2007 MONTHLY	PER ANNUM
Mayor	\$ 3,800-4,600
Township Committee Member	3,400-4,100
Tax Assessor	13,000-20,000
Assistant Tax Assessor	3,000-6,000
Prosecutor	10,000-14,000
Municipal Magistrate	12,000-16,000
Recreation Commission Secretary	1,000-2000
Shade Tree Commission Secretary	1,000-2000
Construction Code Official	7,665 -16,000
Building Sub Code Official	6,796 -17,000
Electrical Sub Code Official	1,450 - 6,000

2007 MONTHLY	PER HOUR
Police Matron	8.00-14.00
Special Police Officer	10.00-15.00
Clerk/Typist	7.17-17.00

School Traffic Guards will be paid according to the following pay scale based on continuous service:

2007 Per Hour	YRS 1-2	YRS 3-5	YRS 6 & OVER
School Traffic Guard	\$9.50	\$11.50	\$13.00

2007 MONTHLY	PER DIEM
Public Defender	\$125.00-180.00
Special Police Officer (Court Session)	50.00-65.00
Clerk Typist (Court Session)	45.00- 65.00

2007 WEEKLY	PER ANNUM
Chief Financial Officer	\$20,000-35,000
Tax Collector	20,000-35,000
Township Administrator	60,000-85,000
Township Clerk	35,000-70,000
Municipal Court Administrator	20,000-35,000
Superintendent – Public Works	45,000-80,000
Assistant Superintendent-Public Works	35,000-60,000
Police Records Clerk	23,000-35,000
Zoning Officer	30,000-53,000
Animal Control Officer	3,500-5,000
Registrar of Vital Statistics	1,000-4,000
Clerk Typist - Annual	22,000-38,500
Housing Officer	5,000-10,000

2007 WEEKLY	PER HOUR
Police Records Clerk	\$10.00-18.00
Clerk Typist – Hourly	8.00-17.00
Joint Land Use Board Secretary	10.00-15.00
Janitorial	10.00-14.00

Section 3. The rates of compensation for Township Employees as set forth above shall be deemed the basis of Overtime. All overtime compensation shall be paid in accordance with the Township’s Personnel Practices Manual/Handbook or as per contract where appropriate for collective bargaining units.

Section 4. This Ordinance shall take effect upon the approval and publication of this Ordinance according to law. All compensation shall be retroactive to January 1, 2007.

LANDFILL LITIGATION UPDATE PRESENTATION

Joseph McGovern, Parker McCay

Mr. McGovern gave a background review of the case that they have been involved with for several years. Mr. McGovern reported that the case they are talking about is the Florence(Axon)landfill case that was brought by the New Jersey Department of Environmental Protection to clean up the Florence landfill. They sued a number of chemical companies including Occidental. Occidental turned around and sued a number of additional parties by way of third party complaint where Delanco was named. Mr. McGovern stated that the case is a very common type of case for this kind of landfill cleanup under the New Jersey Spill Compensation and Control act. This means that whenever anybody takes any waste to the landfill they are jointly, severely and strictly liable for the whole cost of the cleanup of the landfill. The DEP projected the amount of cleanup to be about eight million dollars. Mr. McGovern gave a brief history of the case and how it was litigated. The result was the judge went to the state and got them to accept four million dollars on an eight million dollar claim. This breaks down to a \$600,000 contribution for the municipal group. Mr. McGovern stated that there are twelve municipalities that are part of the landfill case. Delanco was one of the members of six groups so they split the fee six ways. Mr. McGovern, as Delanco's counsel recommended that they accept this offer of a \$50,000 contribution by each municipality. The State requires that the chemical companies pay their full amount in one lump sum. Mr. McGovern stated that he got the state to agree that the municipalities could spread out their share for three years. The first payment would be \$17,000 due in 2008 and \$16,500 the following two calendar years. Mr. McGovern warned that if you don't settle now, there is still four million dollars out there that the State has an argument for and they may file another claim against somebody for the remaining balance.

Committeewoman Kate Fitzpatrick questioned the amount of Delanco's liability in this case. A discussion ensued. Committeeman Mike Templeton asked that if after we paid the settlement amount, the State found a smoking gun or if something surfaced indicating that Delanco Township was more involved, what could happen. Mr. McGovern stated that if the settlement amount was agreed and paid, it is considered a full and final settlement. Mr. McGovern stated that there will be a covenant not to sue issued by the State for this site. Committeeman Mike Templeton asked if we could apply the \$50,000 settlement toward the cost the State makes the Township pay for Storm water Management.

The Superintendent of Public Works, Mr. John Fenimore questioned who figures this out. Mr. McGovern stated that Occidental and Hercules produced the evidence against Delanco. Mr. Fenimore stated that there is a chemical amount in residential trash, and asked if they took that into consideration when making their determination. Mr. McGovern stated that he argued the toxicity amount and that is how he got it down from the initial 25% share to 15% share.

The Township Solicitor, Mr. Douglas Heinold asked Mr. McGovern if there was a time line for a response. Mr. McGovern stated that there is some time and he hasn't heard from the mediator as to a deadline. Mr. McGovern feels that within the next thirty days they will be working on the settlement documents and rap it up.

MEETING OPEN TO THE PUBLIC

Mayor Ouellette opened the meeting to the public.

1. Marlene Jass, 4 McCay Way:

- reported that she has a signed petition for Winzinger from Newton's Landing residents
- basin on Newton's Landing Boulevard – A company hired by Pulte Homes is working there
- asked Mr. Corcoran where the summons with Pulte Homes stands

2. Ed Reynolds, 532 Burlington Avenue, expressed his opinion on the importance of the emergency management coordinator position for Delanco Township.

3. Steve Schofield, 400 Burlington Avenue, asked for an explanation of Resolution 2007-94 and the properties involved.

Mayor Ouellette stated that the Township Committee wants to obtain an appraisal for a piece of land that is for sale and determine whether it will be feasible for the Township to purchase. Mayor Ouellette stated that they are not at liberty to discuss the location of the property.

4. Jack Hoefle, 44 Pennington Court, asked:

- if the bonds for sections 1, 2, and 3 have been released
- asked if the streets have been turned over to the Township
- asked if the HOA in Newton's Landing will have to plow the streets this winter
- asked the amount for the appraisers for Resolution 2007-94 - The Township Solicitor, Mr. Heinold stated the amount for the two appraisers totals \$6,500.00

5. Phil McFadden, 410 Maple Avenue, representing the Recreation Commission is here tonight to investigate getting a building for the children in Delanco Township. Mr. McFadden stated that they have no place to run the programs they provide for the children in the Township. Mr. McFadden questioned Resolution 2007-94 and who it would benefit. Committeewoman Kate Fitzpatrick stated that it would benefit the Recreation Commission.

6. Ralph McCullough, 308 Buttonwood Street, asked who owns the property on the corner of Vine Street and Buttonwood Street. Mr. McCullough stated that a woman almost fell while trying to turn the corner at this location. Mr. McCullough stated that there are a lot of weeds in the street at the corner and it is dangerous.

7. Steve Schofield, 400 Burlington Avenue, questioned the cost for the two appraisers for Resolution 2007-94. Mr. Schofield stated that he attended a few budget work shops and budget meetings and asked if the Township afford to take on anymore debt? The Township Solicitor, Mr. Heinold stated that it is a requirement of Green Acres to obtain two appraisals. Mr. Schofield asked if any money has been taken out of the Open Space Tax to go towards the budget.

MEETING CLOSED TO THE PUBLIC

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

COMMENTS – DEPARTMENT HEADS

Chief of Police – Chief Parsons - Nothing to report

Superintendent of Public Works – Mr. John Fenimore -

- removed 11 trees and have been grinding stumps
- cut 16 areas in the Township
- chipper broke and it cost \$4300.00 to repair it
- reported that people have been requesting a cleanup – will try to plan something for September – have three dumpsters

- would like to inform the residents that recycling is important because the more you recycle, the less the trash company has to take to the landfill and it saves money for the Township – suggested giving used furniture to Good Will or some other organization

Code Enforcement/Maintenance Officer – Phil Goffredo –

- June Report – received 38 complaints – confiscated 3 real estate signs – posted 9 first warnings – mailed 14 certified letters – issued 5 summonses – 7 unfounded complaints – 21 cases still pending – approved 2 and denied 2 zoning permits – 2 fence applications
- working on Pulte Homes – hearing was postponed
- reported that Winzinger moved the crane – still not in compliance with the piles of material – hearing date is July 18th
- newspaper article in the Beverly Bee

Committeewoman Kate Fitzpatrick stated that the Economic Development Board made recommendations to the Township Committee at their last meeting regarding code enforcement:

- that we address two other Townships’ codes (Beverly and Collingswood) because they use the BOCA code and they have stricter violations than our property maintenance codes
- that the Township have a hotline for complaints that could be logged in so that members of the Township Committee could see what complaints are coming in and what action is being taken – recommends that the Township Committee take this under consideration – Ms. Fitzpatrick stated that Mr. Goffredo would be more productive and he could work more efficiently. A discussion ensued.

The Township Solicitor and Township Administrator will research the codes and ordinances regarding the BOCA code.

Municipal Clerk – Mrs. Janice Lohr

- confirmed date for Fall town wide yard sale – Saturday, September 29, 2007

The Township Administrator, Mr. Steven Corcoran stated that there were two changes to the consent agenda. Mr. Corcoran asked to have Resolution 2007-97 deleted and scheduled for sometime next year per advice from the Township Engineer. Mr. Corcoran asked to add a resolution to appoint Gary Stahl to the position of coordinator for the Office of Emergency Management.

Chief Parsons gave a background history of Gary Stahl’s experience and schooling related to the position of Emergency Management Coordinator. Chief Parsons added that he will have support from Lieutenant George Sacalis and Detective Don Nesbitt. In addition, Larry Stearns will assist them in writing reports. Chief Parsons stated that Ed Reynolds will also be available to assist them when needed.

Committeeman Mike Templeton asked to have Resolution 2007-95 removed from the consent agenda for further discussion.

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.”)

RESOLUTION 2007-94

AUTHORIZING THE APPOINTMENT OF APPRAISERS FOR THE APPRAISAL OF REAL PROPERTY

WHEREAS, the Township Committee of the Township of Delanco (hereinafter “Township”), has expressed interest in the potential acquisition of Block 1900, Lots 5.02 and 5.03, consisting of approximately 24 undeveloped acres on Coopertown Road; and

WHEREAS, the Township, if it were to acquire the properties, would do so pursuant to a cost-share approach with the State Green Acres Program and the County Open Space Program; and

WHEREAS, in order to evaluate the potential purpose and to operate in accord with State and County funding regulations, the Township desires to obtain appraisals of the Properties; and

WHEREAS, upon authorization from the Township Committee, the Township Attorney issued Requests for Proposals on June 21, 2007 to appraisers on the Green Acres-approved appraisal list; and

WHEREAS, Green Acres regulations require two appraisals; and

WHEREAS, proposals were received as follows:

Richard J. Carabelli, JR., MAI (Martin Appraisal)	\$3,000	45 days
Edward T. Molinari, SRA	\$3,500	45 days
Richard J. Martin, SCGREA (Depew Martin)	\$3,700	60 days
Anthony M. Graziano (Integra Realty)	\$6,500+	45 days

WHEREAS, the Township Committee has budgeted for appraisal services sufficient to cover the cost of these appraisals and funds are available for these appraisals.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that contracts are hereby awarded to Richard J. Carabelli, Jr. (Martin Appraisal) and Edward T. Molinari, SRA in accord with the RFP’s, their proposals, Green Acres regulations, and this Resolution.

RESOLUTION 2007-96

AUTHORIZING NEW JERSEY DEPARTMENT OF TRANSPORTATION “CENTERS OF PLACE” GRANT APPLICATION

Completion of Burlington Ave. Streetscape Phase II, Bend to Cooper

RESOLUTION 2007-97

APPOINTING GARY STAHL AS COORDINATOR OF EMERGENCY MANAGEMENT

BE IT RESOLVED by the Township Committee of the Township of Delanco, County of Burlington and State of New Jersey that Gary Stahl is hereby appointed as Emergency Management Coordinator for the Township of Delanco for a term of three (3) years which will expire on July 2, 2010.

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	\$571,086.11
PAYROLL	102,801.16
TRUST	445.50
HOUSING TRUST	234.07

GENERAL ACCOUNT – JULY 2, 2007

23556	ARCH WIRELESS	22.55
23557	BURLINGTON COUNTY MCPL JIF	77,697.00
23558	BEVERLY BEE	2,106.84
23559	BELMONT & CRYSTAL SPRINGS	54.84
23560	CERTIFIED SPEEDOMETER SERV INC	136.00
23561	COMCAST	105.22
23562	DELANCO TWP BOARD OF EDUCATION	410,692.00
23563	DELANCO FIRE COMMISSIONERS	21,083.33
23564	DELANCO PUBLIC LIBRARY ASSOC	2,958.66
23565	ELECTRONIC SECURITY CORP	96.00
23566	GALLS, INC	90.00
23567	GENERAL CHEMICAL & SUPPLY	99.00
23568	HAGAN ROSSI FLORIST	29.00
23569	MARC PUBLISHING COMPANY	152.00
23570	MICHELMAN & BRICKER PC	1,711.53
23571	LENORE MORAIS	75.00
23572	NJ AMERICAN WATER CO	215.64
23573	NJ STATE HEALTH BENEFIT PROG	28,972.76
23574	PEDRONI FUEL CO	4,221.10
23575	PITNEY BOWES	168.00
23576	PSE&G	252.85
23577	PAYROLL ACCOUNT	8,397.29
23578	PARKER MCCAY-ATTORNEYS AT LAW	8,633.28
23579	STEWART BUSINESS SYSTEMS	138.71
23580	TEMPROL CORP	199.04
23581	TRUEGREEN CHEMLAWN	625.00
23582	TOWNSHIP OF MANSFIELD	715.00
23583	VERMEER NORTH ATLANTIC SALES	72.00
23584	VERIZON CABS	378.65
23585	VERIZON	325.57
23586	VIRTUA AT WORK	183.75
23587	WOOMAN BROTHERS NURSEY LLC	478.00
TOTAL		\$571,086.11

TRUST

1907	HULSE & GERMANO ESQS LLC	445.50
TOTAL		\$445.50

HOUSING

1004	PARKER MCCAY-ATTORNEYS AT LAW	141.57
1005	TAYLOR DESIGN GROUP INC	92.50
TOTAL		\$234.07

APPROVAL OF MINUTES – 6/11/07 & 6/18/07**APPOINTMENT**

Appoint Kate Fitzpatrick to vacant regular voting member position on Recreation Commission; said term to expire on 12/31/07

The Municipal Clerk, Mrs. Janice Lohr asked Mayor Ouellette to confirm the two appraisers for Resolution 2007-94. They are: Richard Carabelli Jr., MAI (Martin Appraisal) and Edward Molinari, SRA.

APPROVAL OF CONSENT AGENDA

Motion by Kate Fitzpatrick, seconded by Ed Devinney to approve the consent agenda

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

RESOLUTION 2007-95

AUTHORIZING NEW JERSEY DEPARTMENT OF TRANSPORTATION “CENTERS OF PLACE” GRANT APPLICATION

Delaware River Heritage Trail Shared Roadway/Bikeway

Committeeman Mike Templeton reported that we are paying a portion of this grant, and expressed his concern that there was a cost on our part. Committeewoman Kate Fitzpatrick clarified that this is not the Heritage Trail, and that under some grants, a portion has to be paid by the Grantee. A discussion ensued.

Motion by Joan Hinkle, seconded by Kate Fitzpatrick to adopt Resolution 2007-95.

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

CORRESPONDENCE – Mrs. Janice Lohr – Nothing to report

DISCUSSION ITEMS:

1. NJDOT GRANT APPLICATION

The Municipal Clerk, Mrs. Janice Lohr stated that this grant is due August 25, 2007. Mrs. Lohr stated that this is for qualifying road improvements in Delanco Township. Mrs. Lohr stated that it is usually coordinated with the Township Engineer, Township Administrator and the Superintendent of Public Works and with the consent of the Township Committee based on their recommendations.

2. SKATE PARK

Mayor Ouellette reported that they were looking at the safety issues and concerned with what is happening at the skate park. A discussion ensued. Committeeman Mike Templeton asked if the skate park was covered by the Township insurance carrier. The Township Administrator, Mr. Steven Corcoran stated that the skate park is insured and covered for liability under JIF. Mr. Corcoran supplied the Township Committee with information regarding the potentially dismantling of the skate park.

The Township Committee instructed the Police Department to enforce the Township ordinance and signage at the skate park. The Police Department will give a warning to the child first; keep a list of offenders; notify parents and when their name shows up a second time; then confiscate the bicycle.

COMMENTS – PROFESSIONALS

Township Engineer – Mr. David Denton –

- tight schedule for submitting grant applications with the holiday on Wednesday – will

pick up all signed and sealed material on Thursday for Friday submission

COMMENTS – TOWNSHIP ADMINISTRATOR – Mr. Corcoran

- exhibited the FEMA application for the Mansion and reported that FEMA has approved our application to repair the interior of the Mansion – will not know the cost of damage until the work is in progress – cost will be totally funded by FEMA – roof is not covered by FEMA – roof has to be repaired prior to any interior repairs being done
- would like to see if they can fix the ceiling in the Carriage House while they are working on the Mansion
- Mr. Corcoran presented Kate Fitzpatrick, Historical Advisory Board representative, with a Delanco Monopoly game that was given to him

COMMENTS – TOWNSHIP COMMITTEE

Kate Fitzpatrick –

- announced that the Historical Advisory Board is having their sesquicentennial celebration to commemorate the Delanco Post Office for 150 years of service on October 5th and 6th – a special stamp will be made and the Post Office will be there to cancel envelopes – walking tour
- announced the concert on Thursday, July 19th at the Mansion starting at 7:00PM, and rain date is Thursday, July 26th
- realized that we weren't submitting a grant for the streetscape and Economic Development and suggested that they submit a grant for the remaining portion of Burlington Avenue and Coopertown road down to the Riverline – Township Engineer recommended that they go for the second phase of Burlington Avenue and complete the one side and go for Coopertown Road grant next year

Mike Templeton -

- spoke to Ed Reynolds this week regarding the requirements necessary for an Emergency Management Coordinator
- attended a meeting at Senator Allen's office in Burlington regarding the light rail and the establishment of quiet zones – will meet again on July 25th for further discussion

Committeewoman Kate Fitzpatrick thanked Steve Schofield for taking the time to attend the Economic Development meeting and volunteering to trim the trees in the first phase of the streetscape on Burlington Avenue

Joan Hinkle –

- commented that Mr. Horn had mentioned earlier his concern about pit bulls in Delanco and asked Chief Parsons if there had been any complaints about pit bulls
- commented that the Beverly Bee listed dogs in Beverly that were not licensed and asked if Delanco Township monitors the dogs that are not licensed
- heads up to John Fenimore that CUPHI will have a clean-up of Hawk Island in October
- asked for a motion to thank the Freeholders for their cooperation in cleaning up Pennington Park and making it a safer place to visit

Motion by Kate Fitzpatrick, seconded by Ed Devinney to thank the Freeholders for cleaning up Pennington Park.

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

Deputy Mayor Ed Devinney –

- attended the Fire Commissioners Meeting on Tuesday and reported that there is a shared services meeting to discuss combined services – Fire Commissioners are not happy with the idea of shared services
- thanked the Township Administrator, Mr. Steven Corcoran and Committeewoman Joan Hinkle as it was her idea to contact the Burlington County Freeholders for help in cleaning up Pennington Park

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

Roll Call: Devinney, yes; Fitzpatrick, yes; Hinkle, yes; Templeton, yes; Ouellette, yes

Janice M. Lohr, RMC

Municipal Clerk

July 2, 2007