

Township Committee Meeting 6 February 2006

Delanco Township Board of Health Meeting Feb. 6, 2006 took place first – (Township Committee members are members of the board.)

- Janice Lohr was appointed Secretary for 2006.

- The Burlington County Department of Health was appointed as Inspection Agency for Delanco for 2006

- Rabies clinic that was previously held in January was held in November to take advantage of better weather. Will be in November this year as well

Township Committee Meeting followed.

Township Committee Meeting February 6, 2006

Present: Devinney, DiCarlo, Hinkle, Ouelette, Fitzpatrick

Municipal Clerk Lohr, Administrator Corcoran, Deputy Clerk Zimmerman, Chief Parsons who was called out, Engineer Jay Kruse, Solicitor Doug Heinold

Public Hearing for Green Acres Grant Application

Hearing open to the public:

Presentation by Jay Kruse – application has three parts

1. Acquisition of waterfront Block 1201 Lots 1.01 and 1.02 - waterfront parcels at Zurbrugg Mansion
2. Development of Block 2100 Lots 12 and 13 – Pennington Farm Park – plan calls for baseball fields, tennis courts, volleyball, racquetball, and a community center
3. Diversion of easement on Lot 13 of a driveway that leads to a rear residential property . Since the project already has Green Acres funding, they need to apply for a diversion to move the driveway out of the center of the park

Fitzpatrick: Diversion is a safety issue for those using the park and needs to be done

Resident of Second St: Agrees with Zurbrugg waterfront property and feels it is needed. Not in favor of “field of dreams” hasn’t seen the need. We can’t maintain what we have (ex. watering at Gateway Park). Leave the land in the land bank for another 5 years. Remember that Green Acres requires a match and this will cost us money that we don’t have.

Templeton (member of Environmental Advisory Board): Environmental Advisory Board has completed survey of land for ROSI list. We were hoping to protect Hawk Island and West End dunes. Would also like to see the township land at Perkins / West that was recently pulled from auction sale added as a buffer zone and to avoid the threat of high density development there. Has reservations about encumbrances that could affect the use of properties like the Zurbrugg Mansion forever. 11 ordinances and resolutions regarding Zurbrugg Mansion in the last year and many mention recreation and open space. If Green Acres is OK with the mansion property not being ROSI listed, though it has been used for some recreational purposes. It would be best to get that in writing from Green Acres. To fail to do so could severely curtail your options for the use of the property or sale in the future.

Resident of McKay Way: How long do you have to use that money if you get it?

Fitzpatrick: By applying for grants, we don't have to accept them. Application has been extended to April 15th

Corcoran: I've asked that question... if we can accumulate money and they have no problem with that.

Resident: Is that substantiated in the statute?

Fitzpatrick: Field of dreams is already a Green Acres project so we have no choice. We didn't list West Ave. or Hawk Island on the ROSI list. You can add properties at any time. We didn't want to do anything to jeopardize the county's plans for Hawk Island.

Then asked Bill Mateluwicz to comment since he was sitting with the public

Mateluwicz: We seem to be working parallel trails, but disconnected paths. The West End dunes seemed a natural continuance of the township property there. Already used as a composting site. For the 14-15 years he's been in town, preservation of Hawk Island has been a goal so we should include the 15 acres of township property there.

Fitzpatrick: concerned about composting

Mateluwicz : Preexisting municipal composting sites are allowed under the new Green Acres regulations.

Fitzpatrick: Do you have that in writing, Mike?

Templeton: Yes, it's right here and John Fenimore has a copy of it.

Mateluwicz: Recreation use should take precedence over composting eventually as this a valuable piece of riverfront land.

Fitzpatrick: Committee prepared a ROSI list because we hadn't heard anything from your committee. You didn't do what you were charged to do.

Mateluwicz: Aware of some discussion with Corcoran. Not aware that township officials were doing their own ROSI list while the EAB was also working on a ROSI listing as it was assigned to do in 2005. We were a week late with our list, but didn't hear that that was a problem.

Templeton: Heenehan from Green Acres says the initial ROSI list submitted should be as complete as possible to avoid legal challenges later. I wish we'd been involved and notified of your meetings with Green Acres staff. The Master Plan states the desirability of retaining Hawk Island and the dunes at West End. They also appear in Delaware Valley Regional Planning documents also for watershed protection and greenways. The 15 acres the township owns at Hawk Island is a keystone property.

Resident of Union: Is there adequate funding to restore the gazebo and sea wall?

Fitzpatrick: Development would be another application. Bridge Commission and the county would help.

Resident of 2nd St: Green Acres is like an octopus. Once it gets its tentacles on you, it doesn't let go. Be cautious and don't ask for more. It's better for Hawk Island to remain as confused as possible. More likely to get dredge spoils if county owns it. West End would just be a target for the Corps of Engineers. Delran is trying to unravel a mess with Green Acres. They've paid 10 years of legal fees.

DiCarlo: What is the issue? Why wouldn't we put them on the list?

Fitzpatrick: No harm in listing them... any question, don't put them on

Hinkle: When is the ROSI list finalized?

Heinold: not until funded

Fitzpatrick: Grant has to be accepted

Resident of 2nd St: Money is competitive. If you decline, you go to the bottom of the pile and they will remember that the next time you apply

Fitzpatrick: What if we change our mind? If someone offers us \$4million for the property, we want to be able to sell it.

Resident: We're spending money on engineering to apply

Heinold: Comfortable with it. ROSI is touchy. We can continue to make the point as we go that we are not listing the mansion. It would be nice if they could supply what they've said on letterhead.

Fitzpatrick: I'm confident we're making the right choice. It's not going to be a community center, but the waterfront property should be on the list.

Fenimore: Can we use the money in the recreation fund that builders supply for this?

Fitzpatrick: yes, it's earmarked for recreation

Fenimore: Compost is at the most valuable piece of land we have. Don't we have a piece of land at the entrance to Hawk Island?

Hinkle: Township owns an acre at the gate of Hawk Island.

(Maps are produced by Templeton and Kruse.)

Heinold: talk to the county before you list. You can partially list properties.

Fitzpatrick: Are we in agreement to review West End and Hawk Island properties?

Committee agreed.

Hearing closed to the public.

Ordinance 2006-1 amending Chapters 295-4 and 295-32 of the township code 2nd reading and public hearing – parking restrictions on Willow – Kruse: Area was reduced by ½ to cover the bend area only. There will be another hearing on the amendment, but this ordinance passed unanimously .

Proclamation for Read Across America – to be celebrated March 2

Consent Agenda Items:

Ordinance 2006- 2 model ordinance to exceed the municipal budget appropriation limits and to establish a cap bank. 1st reading by title only and set public hearing date for March 6, 2006

Resolution 2006- 29 issuance of contracts to the most qualified bidder to provide off-site inspection services

Resolution 2006- 40 refund of 2004 state of NJ Tax Rebate

Resolution 2006- 41 NJ Department of Environmental Protection Green Acres enabling resolution

Payment of Bills:

General 901,639.69

Payroll 96,045.94

Capital 3,200.00

Trust 35,710.11

Consent agenda approved

Discussion items:

Ordinance 2006-3 to create Chapter 237.5 of Township Code entitled, "Sex Offender Residency and Other Limitations" (was removed from consent agenda at request of Ouelette) 1st reading by title only and set public hearing date for March 6, 2006

Hinkle: It's taking us a long time to do this. Towns all around us have it.

Heinold: You can use Megan's Law as criterion since it's been upheld. Could have Tier III as long as it didn't involve a minor so he doesn't agree. Was hoping the state would take action. They had a bill pending regarding Tier II and III offenders. Moorestown's ordinance involves loitering as well as residency. The legal recommendation for residency is 2500 feet. You can have Tier I offenders in your grouping under Megan's law. The issues are tiers and loitering.

Hinkle: Ordinance does a good job

DiCarlo: No tiers are mentioned?

Heinold: If you are classified, this applies.

Phil Jenkins was sworn in for Sewage Authority

Meeting open to the public:

Resident of Burlington Ave presented photos of a silver maple tree on his property as well as a letter from the Shade Tree Commission's tree expert. The expert claims that the tree is healthy. Resident has had Fenimore look at tree as well. It is rotted. If it hits someone or their property, resident is responsible. Since it's the township's tree, he can't touch it. Was told it was a money issue.

Fitzpatrick: I wasn't aware of that

Resident: Something has to be done. It's close to gas line and a big branch goes across Burlington Avenue. A storm will be a problem.

Corcoran: Aware of the challenges. Budget for tree commission is upcoming.

Resident of Delaware Ave. (your notetaker): At the Sept. 13, 2004 Township Committee meeting in the public session David Suter referred to a letter he had sent to the Committee regarding the use of this building by groups in town who were already using the previous municipal building. At that time, Mayor Fitzpatrick said that since there were so few venues for meetings, groups should be able to use this building. Mr. Browne said he didn't see any problem with building use in the future; Ms. DiCarlo and Mr. Dillenbeck were in favor of allowing groups to use this space.

How many times has this building been used by community groups?

Fitzpatrick: Not many

Resident: Which groups?

Fitzpatrick: Women's Club

Lohr: Boy Scouts who were working on merit badges in government

Resident: Did any group post a bond or pay to use the space?

Fitzpatrick: No Resident: How many times has the Zurbrugg Mansion been used by community groups?

Fitzpatrick: A couple

Resident: Did they post a bond or pay for the space?

DiCarlo: They paid one time.

Resident: Was this building used by the Brackett/Quinn campaign in 2005?

Fitzpatrick: What?

Resident (repeating): Was this building used by the Brackett/Quinn campaign in 2005?

Fitzpatrick: No

At that point, interrupted by DiCarlo and Hinkle: We used it.

Hinkle: The Republican Club used it.

Resident: Did they post a bond or pay for the space.

Hinkle: No, but they are insured. I don't know what kind of insurance they have, but they are insured.

Resident: I would imagine that a future request by a standing community group would get the same deal as these groups have already received.

Fitzpatrick: Yes

Resident returning to her seat....

Corcoran: What group are you referring to?

Resident (from seat): JFK Democratic Club

Corcoran: I signed off on that a while ago for the Columns.

Fitzpatrick: Fern, don't you have the keys?

Ouelette: I was given the keys to let in the heating consultant and to have the gas shut off to the fireplaces – not for a meeting. The Club met in the Hawk Island Marina last month courtesy of the Bergers.

Resident of McKay Way: Regarding performance bonds at Newton's Landing.

Farmhouse will need lots of work the value of which exceeds the \$65,000 with \$7000 cash. Can you hold up bonds that aren't the activity center bond?

Heinold: You can, but you can get sued.

Resident: Ordinance 2004-11 – Pulte violated use of the farmhouse.

Heinold: Detailed issue. Compare your punch list with Jay Kruse's.

Resident: Estimates amount of work to be done at \$100,000. Can you piggyback the bonds?

Heinold: No

Resident of Burlington Ave: Concerned about decline in services. At Vine and Burlington, leaves weren't collected. Resident has raked them twice. Also concerned about the post base for lighting on her property. It's dangerous.

Fitzpatrick: Post base should have a cone.

Fenimore: Leaves were on the sidewalk instead of in the street. Will come by and pick them up. Remember you can't put them near a storm drain.

Resident of Pennington: Christmas tree hanging around in the street

Fenimore will get it.

Resident of McKay Way: New park at Pennington...who opens and closes the gates?

Fitzpatrick: Ranger does and checks to be sure people are out. Our police don't patrol there.

Resident: Concerned about the path into Newton's Landing and security

Meeting closed to the public

Correspondence – Applications for Green Acres grants are now available

Comments – Township Administrator Steve Corcoran

Police Report:

-sign on Holly for reserved parking

-met with county regarding park. Trail there is 3 miles long and will be for biking and hiking. Police coverage will be provided by Delanco. The county supplies a ranger-type person, but not police. Compensation is on the table. Our police don't have the vehicles necessary for the trails in the park.

Fitzpatrick: Surprised to hear that we were providing police. Park will open in late April.

-Willow Street restricted parking in progress

Township Solicitor Heinold:

-old municipal building purchased by a dentist from Moorestown who will be locating practice there

-Jungle Lasers – meeting with DCA – person who draws the permit should pay for the changes

Comments Township Committee:

Oeulette:

-working on Rivers Edge COAH

Fitzpatrick: I don't know why that is being rehashed. It was all worked out.

Lohr: 25% of COAH was to be age-restricted. Now they are saying that that violates the FHA housing laws regarding discrimination.

-Shade Tree Reorganization – planning event for Arbor Day on April 22

-DYSA Reorganization – baseball sign ups now

-Zurbrugg Mansion – Tom Lafferty shut off the gas to the fireplaces. Insulating boards were put in front of the fireplaces. Heating bill for Dec. was \$4700 and was \$2700 in January.

-Attended Emergency Management Meeting

-Attended liability seminar which saved the township \$250 per attendee

-Attended Environmental Advisory Board meeting – discussed Bogg's Creek area

DiCarlo:

-Historical Preservation Advisory Board developing budget

-Question for Fenimore – Yard sale banner a big deal to put up? What if we wanted to change it more often?

Fenimore: Not a big deal as long as new banners are the same size.

Hinkle:

-Attended EMT banquet

-Reorganization for Sewage Authority upcoming in February

-Delores Price moving to PA and will be missed at Sewage Authority

Devinney:

- Met with Fire Commissioners
- Attended JIF seminar
- Attended EMT banquet
- Attended Environmental Advisory Board meeting
- New website still in progress

Fitzpatrick:

- Spoke on behalf of the Recycling Enhancement bill which passed and is now in appropriations.
- Spoke to 3rd grade about township government – enjoyed the students’ questions
- Attended EMT banquet – was impressed to see young people stepping up and into the shoes of those before them
- Joe Miller unable to do Emergency Management due to his new schedule
- Planning Seniors’ programs

Next meeting is February 13

-Notes submitted by Maureen Barrett