

The following are notes, not official minutes. For an official transcript, go to the Delanco Municipal Building at 770 Coopertown Rd.

Township Committee Meeting April 2, 2007

Devinney___Fitzpatrick___Hinkle___Templeton___Ouellette_____

Also Present: Steven Corcoran, Twp. Administrator; David Denton, Twp. Engineer; Douglas Heinold, Twp. Solicitor; Janice Lohr, Municipal Clerk; Karen Zimmermann, Deputy Municipal Clerk; John Fenimore, Supt. of Public Works; Edmund Parson, Chief of Police

**ORDINANCE 2007-6 MENDING CHAPTER 50 OF THE CODE OF THE TOWNSHIP CODE ENTITLED “LAND USE PROCEDURES”
*2ND READING BY TITLE ONLY AND PUBLIC HEARING
HEARING OPEN TO THE PUBLIC**

no comment

HEARING CLOSED TO THE PUBLIC

Passed unanimously

CONSENT AGENDA ITEMS:

RESOLUTION 2007-66 AUTHORIZING SOIL REMOVAL FOR BLOCK 2100.01, LOT 50 – removed and added to discussion

RESOLUTION 2007-67 CANCEL OUTSTANDING CHECK FOR TAX COLLECTOR ACCOUNT

RESOLUTION 2007-68 RELEASE PERFORMANCE GUARANTEE FOR THE POINT AT NEWTONS LANDING SITE IMPROVEMENTS, BLOCK 2100, LOT 15, ALLIANCE AT NEWTON’S LANDING – removed from consent agenda since there were residents present regarding this resolution

PAYMENT OF BILLS

ACCOUNT AMOUNT

GENERAL \$519,004.66

PAYROLL 55,218.63

CAPITAL 665.87

TRUST \$ 7,259.50

PUBLIC DEFENDER 150.00

ANIMAL CONTROL 1,125.87

HOUSING TRUST 674.95

APPROVAL OFMINUTES – 3/5/07 & 3/19/07

APPROVAL OF CONSENT AGENDA

**

Discussion Items:

RESOLUTION 2007-66 AUTHORIZING SOIL REMOVAL FOR BLOCK 2100.01, LOT 50

Templeton: 3000 yards coming off that lot. That's the property that was seeded last fall. How much is that going to reduce the elevation? Is that going to create a wet spot? Is it going to create another problem?

Hinkle: John, have you looked at it?

Fenimore: Yes, I would take some

Ouelette: Mike's question is if that will make it a swimming pool?

Templeton: Will that be a problem for the surrounding properties?

Fitzpatrick: It has to come off anyway.

Fenimore: Township has first cut.

Heinold: John, you will monitor?

Fenimore: Yes

Devinney: My assumption is that they will take the right amount.

Templeton: When this came up at the last meeting, there was a question of a letter

Ouelette: We got the letter

Templeton: Glad we followed the township's procedure and did it right.

Resident of Newton's Landing (address not given): Assume 3000 yards is cubic. This was brought up at last meeting. They've been removing fill off of there all week. Is this a permission slip for what they have already done?

Fitzpatrick: Who has been taking it?

Resident: Equipment there all week. Did he have permission before this passed? Was 3000 cubic yards already taken? Should the township have gotten theirs first?

Fenimore: Any topsoil can't leave the town. Township has the first right. As far as I understood, he didn't need a permit for what's under it.

Resident: Mound is topsoil and area behind it is basically fill and he can take that out.

Fenimore: That's what it looks like to me.

Resident: Equipment was there at the end of the previous week. I know it was discussed at the last meeting and then I saw this resolution here. 3000 cubic yards are 3000 dump trucks. Will it all happen now? Will it be reseeded?

Fenimore: Don't know.

Heinold: Resolution should state that it should be top seeded.

Fitzpatrick: Even if they remove fill. They should get a copy of this

Lohr: Doug, you are saying that it should further be resolved...

Heinold: Yes

Ouelette: Can we add a time restriction?

Heinold: I guess you could but I don't know what may be required as far as time is involved.

Ouelette: I guess for the residents there if we don't put a time restriction on it, they will have to live with it all summer.

Fitzpatrick: I would say 30 days, a reasonable amount of time as per court. Copy to developer.

Heinold; Maybe you want 30 days after Public Works.

Fenimore: Yes

Ouelette: Say June 1st.

Fenimore: I won't be disrupting much.

Fitzpatrick: Should change wording to go through Superintendent of Public Works.
Ouelette: Not concerned about John, more concerned that the other party needs to act in a timely manner.
Changes: Any extension has to be approved by superintendent of public works and needs to start within 30 days of this ordinance.
Fitzpatrick: Graded and seeded 30 days from completing the removal.
Lohr: When John is done?
Templeton: Do we need a time on that? That could go on all summer.
Fitzpatrick: They want it for a construction job in Delran.
Templeton: Give them 30-45 days to remove it and then 30 days to have it seeded.
Fenimore: Yes, before it starts blowing around. That's what the neighbors were complaining about.
Lohr: Graded and seeded after soil is removed which will be required within 30 days of what?
Heinold: Removal approved herein shall occur within 30 days and graded at seeded within 30 days of removal of all soil. I have no idea if that is a reasonable time frame. I suggest you allow John to oversee it and approve an extension if needed.
Passed unanimously with conditions above.

RESOLUTION 2007-68 RELEASE PERFORMANCE GUARANTEE FOR THE POINT AT NEWTONS LANDING SITE IMPROVEMENTS, BLOCK 2100, LOT 15, ALLIANCE AT NEWTON'S LANDING

Opened to the public for comment

Resident of Charles Circle: Problems with drainage in the back of my building. We back up to Keith Mohrman's property. Engineer has been out there – hasn't been addressed. We still have a water problem. Afraid that if the bond is released it won't be taken care of. Also a problem in front that it's not draining properly – large puddle in neighbor's driveway. It has been brought to their attention. They threw some dirt around. I think that it should have an elevation shot on it. I can look at it and see it's not right. It wasn't done right the first time. That's the biggest problem we have over there. We'd ask that you take another look at it before you release the bond.

Resident of Charles Circle: Same problem . When it rains, it just sits there. Last summer we couldn't sit on our deck due to the mosquitoes.

Templeton: How long does it lay there?

Resident: A few days. It is shady there

Fitzpatrick: It doesn't percolate

Hinkle: Is that item on the punchlist?

Corcoran: No, and Birdsall isn't here.

Resident: Was on the punch list as was the street drainage problem

Fitzpatrick: Do you have a representative for your homeowners' association?

Resident: We're just starting that

Lohr: You have the option to table to consult with the engineer who is overseeing the construction.

Fitzpatrick: We should see the punchlist to see that these items were on it.

Heinold: It depends on when the inspection occurs – if there hadn't been any rain.

Corcoran: We also have maintenance bond. We don't know if Birdsall was going to address this there.

Fenimore: There's a problem there. The street goes up to where there almost isn't a curb.

Motion to table passed unanimously

CORRESPONDENCE

None

MEETING OPEN TO THE PUBLIC

Resident Shipp's Way: Sent pictures of our sidewalks – starting to flake. Concrete is coming right off of them. Something like this shouldn't happen.

Corcoran: Township doesn't handle streets and roads.

Resident: We know that, but Township was going to give Pulte money back.

Corcoran: Who did your salting?

Resident: Riverton

Corcoran: Not the township

Resident: No. You can see the stones coming up.

Heinold: Engineer's report from Birdsall – recommended release Phases 1-3, not farmhouse. Engineer is supposed to act on within 45 days. Action was taken on inspection. Spoke with Jeff Ahold [spelling?] re Homeowners' Association. He couldn't be here due to religious observance. Put back on the agenda for 16th. Spoke with Mangini – will be here that night also. Agreed to meet with Jeff. If there are issues like the salt one, have Jeff include in his letter so we can resolve some of these issues.

Fitzpatrick: Do you know of anyone else experiencing this?

Resident: No

Fitzpatrick: Was there an excessive amount of salt? Salt will do that.

Resident: Yes. Our sidewalks have become a mess in the past few weeks.

Denton: Any other areas?

Resident: No. Apparently poor concrete

Denton: Poor concrete – made with too much water.

Heinold: Will talk with Jeff

Resident of Delaware Ave: Columns sale – questions left over regarding the public process. Questions on Dec. 18 regarding number of proposals. type of proposals. Told by Mayor Fitzpatrick 8 times couldn't give out information since we were in negotiations. Attorney mentioned 4 times that nothing could go outside of that process. Imagine my surprise when Republican newsletter has information three weeks ago and we haven't concluded our negotiation. Why would we show our hand to Mr. Rahenkamp?

Hinkle: What are you referring to?

Resident: number of proposals - less than 10 items returned

Hinkle: Max Spann said that

Resident: No, he didn't. I listened to the tape twice

Hinkle: What did he say?

Resident: He said there had been a lot of response, and they had to extend the process due to the unique nature of the property.

Resident: You have a five person committee and need three votes to accomplish what you need to do, but chose to smear Mr. Templeton in your newsletter. This was also during executive session. Why did you choose to share that in your newsletter?

Hinkle: Most of it was said that night, some through emails.

Resident: Whose?

Hinkle: Township Committee

Resident: They aren't public

Hinkle: They could be.

Resident: Through subpoena? Is that how the public is supposed to get information?

Hinkle: I don't know if you need a subpoena, but they are public.

Resident: Mr. Heinold, is it appropriate for Township Committee to share emails that are regarding executive session information?

Heinold: I have told people that some conversations through email could be made public. Township business, even on your home computer, is public. Emailing me confidentially as part of client attorney privilege is not, but there can be exceptions to that rule. I'd have to review the emails

Resident: Is it appropriate to release what goes on in executive session?

Heinold: No

Fitzpatrick: I believe it was public information that was given out

Resident: When was it given out?

Fitzpatrick: I don't have the dates.

Resident: Maybe we can talk about it again.

Fitzpatrick: Maybe I should listen to the tape myself and we could talk about that again.

Resident: Maybe you should. Should it be public that you are having a problem with what's leaked from executive session?

Fitzpatrick: I don't know that that is confidential. Any email is public knowledge

Resident: Attacks were made on Mike based on emails. Doug, would you comment?

Heinold: I don't want to get into that. There are times when emails are confidential, but there can be exceptions.

Resident: I believe there has been an abuse in this process. Public has had things sprung upon them and we were told that wasn't going to happen.

Hinkle: I disagree with you.

Resident of Rivers Edge: Annual apartment inspections – the lists are overlapping.

Becomes a problem for tenants when there are multiple inspections

Fitzpatrick: Fire department inspection (\$40) and township inspection (\$100)

Corcoran: Agree that there is some duplication. State law for rental requires fire apparatus alarm. Fire department is doing when the township requested regarding safety inspection – funded directly with them. Have met with Phil and fire marshal to resolve.

Resident of Burlington Ave: Apartment inspection ordinance – I was told that fire department was separate entity. I had asked about the qualification of township inspectors to do fire inspection. I was told they were qualified.

Corcoran: You complained about it before, but it wasn't clear what the conflict was. It's become clear to me in the last 60 days. I agree with the comment that the regular rental

inspection does include certain fire extinguishers. State requires separate smoke detector test.

Resident: I voted for every person sitting on this board. I voted for you guys because I thought you were the best people running. I don't know why all of a sudden it seems Democrats vs. Republicans. I saw bickering at the last meeting. I might not agree with all of your decisions, but I know that it's for the best of the town. Soil issue appeared to be a last minute discussion at the last meeting. All of sudden people are talking about permits and other concerns. It appears that people aren't talking. We had that a couple of years ago, and I don't want to see it return to that. I'm not happy and I'll be more than happy to put someone else's sign up on my lawn.

Resident of Shippo Way: Fire lane at Newton's Landing. Additional finishing was to be done by others. Who are they?

Heinold: That's Birdsall. I can't answer that.

Resident: How will I find out? Other problem is that a project on Shippo Way was on the punch list and now it's not. They put in a drain, but were supposed to lower the hump. They come out on a dry day, not after it rains. Since drain came in the fall, I'd like to wait on the bond until we have a summer to see if it is a mosquito trap. That topsoil was from all of our properties. That's why we don't have drainage. Please be sure that Savannah Mews has drainage – not clay – since they are close together.

Corcoran: We've been working on this for over a year. Please be sure that your comments go back to them.

Resident: We don't realize that we have been taken off the punch list.

Corcoran: Homeowners' Association was charged with finalizing that list 6-9 months ago. We must have some status on it.

Resident: Steep slope creates the problem. We were told today by Walt that he isn't on the project.

Heinold: Birdsall is still the engineer. We'll talk to Kathy Elliot or Bill Birdsall.

Resident: We just want to find out who will fix the problem.

Heinold: This punch list has been a labor intensive project. I just checked it – 9799 is indicated as complete. Homeowners' Association needs to know.

Resident: Who is supervising the engineers?

Corcoran: Township Committee

Resident: New fire lane...we don't want it. People will see it as a short cut. Would prefer that the first one is completed.

Corcoran: First is in the hands of the township. Public works will be removing the soil and then it will be considered completed.

Fenimore: I built it up too much thinking the stump would decay. Hump is going to be removed and that is all that is being done there.

Corcoran: Need to go to Joint Land Use Board regarding the second fire lane.

Fitzpatrick: As mayor, I met with Homeowners' Association and engineer. That has gone to our mayor. Township Committee is very involved in that process. I guess they still are. We don't get a report.

Resident: Between [two addresses I missed] on Shippo indicated as completed - not completed. Lots of meetings. Some things are the best they will be and some we're

going to dig our heels in. One is the basins. Discussed with Kathy Elliot. Pitch is uphill. Kathy was to put her boots on and go look at it. Homeowners' Association is to maintain. We don't know what that means. There are two inflows – one from commercial property and one from Creek Road – into our basin, so we need to be sure that that is right. You need four inches of water to get it to go up and over the hill.

Heinold: Is it on the punch list?

Resident: I think 314 is the outflow. I think it was misnumbered. At the meeting, we're all aware of which one we're talking about.

Corcoran: Yes, that inspection did occur. I want the Township Committee to know that Kathy is working on the solution including the possibility of removal.

Resident: Triparty agreement – path along the creek. My concern was snow removal.

Problem now is they think that the basin is done and needs just yearly maintenance.

Needs to be inspected to see if the meadow mix has taken.

Corcoran: Handling that with the county.

Resident: County will look at the basin and ...

Corcoran: Decide what's requires. Has to be cut short and can't use chemicals. If you cut it short, you kill the flowers. Struggling with timing. Meeting every week.

Resident: If bonds released, goes into maintenance.

Corcoran: Yes

Resident of Buttonwood: Supposed to be private road – put up a sign that says for emergency use only. It's not supposed to be for a tour of Newton's Landing. You need it to get in if there were a tractor trailer overturned.

Fitzpatrick: Jean is referring to proposed road from Savannah Mews.

Resident: They probably need two roads out of that too.

Corcoran: Plan is before the Joint Land Use Board

Ouelette: Where the greenhouse is, there is going to be a street going in there.

MEETING CLOSED TO THE PUBLIC

COMMENTS – PROFESSIONALS

Denton:

-I missed this entirely. There was conversation in the room.

Heinold:

-No further report

COMMENTS – TOWNSHIP ADMINISTRATOR

- JIF Safety – 2007 – signage – working with police department to survey streets that have missing or needed stop signs or street signs.

- tax assessor to Township Committee meeting on May 21st to make presentation re revaluation.

- Riverside Business Association – involved in discussion

- municipal building will be WIFI in lobby and parking lot within next week. Security issue to be sure it wouldn't interfere with Township business – separate lines. You can talk to residents who may not have internet access.

-Resolution 2007-69– to request bids on two TV’s , 8 old fax machines, and 2 cathode ray monitors. - \$50 on TV’s, \$10 on fax, and \$20 on monitors. Offer to employees first, then to fire, then dispose.

Devinney: Ever get offered to general public?

Corcoran: They could. They are of such minimal value.

Resolution passed unanimously

Corcoran: Working on list for next meeting – three trucks that will go out to public

COMMENTS - DEPARTMENT HEADS

1. Police

-grant \$16000 for Xray vision [not sure I hear this right] – requires officer training before you get the equipment

-bullet-proof replacement - applying

- two officers in school for training regarding gangs – mostly motorcycle

-tow list – up to five people. Protected residents better

-Saturday night – 9 unlocked vehicles broken into – radios, GPS Union 2nd and 3rd. Not the first time. Two people from Riverside caught this week.

Weekly update on website every week. Have a lot more going on in town.

-Hoffman to DARE course.

2. Public Works

-Brush pick-up – once we’ve been through, you can’t put it out due to Stormwater Management.

-Ball fields are done

-Attended seminars – got 8 credits – restrictions on everything – generators, gas pumps – town will need someone just on permits.

-Bucket truck training

-PIOSHA – hearing protection – the little things you roll up and put in your ears are better than the earsets – booklet assembled on what hearing protection is required for every piece of equipment we own.

Municipal Clerk

-New district 6 – Creek Rd. Coopertown, Pointe, Newton’s Landing - watch your ballots

-May 5 town-wide yard sale – call to list on map

COMMENTS - TOWNSHIP COMMITTEE

Fitzpatrick:

-question – School elections all at Pearson?

Lohr: Yes

-attended social

-egg hunt – couldn’t attend, but went well

- senior have King Tut trip openings

-Boy Scouts are selling mulch

-parade – let them know if your organization has been contacted

Templeton:

-Follow up statement – concerned that questions were construed as stopping the project. We spend huge amounts of time and money trying to untangle what has happened years before because no one asked questions. I was elected to asked questions. Albert McCay Republican Club published confidential information from executive session. Fabrications of my position on the project were published before I could share my actual view and feelings on the project in this public forum as per solicitor’s advice. The public was misled by an unsigned allegation. I appreciate the input regarding the Zurbrugg project I have received from the community. I will continue to act as your representative.

Hinkle:

-Attended Shade Tree

-Animal Control – black bears in every county in the state

Devinney:

-Attended Spring Fling

Ouelette:

-Library meeting – watch for movie showing.

-busy weeks with budget and mansion project.

Resident of Buttonwood: Why did I get a bottle from the water company to get water? I filled it last week and it’s still there. Did anyone else get one?

[no one did]

Hinkle: I see lots of people walking dogs and not picking up.

Fenimore: Put 6 signs on new development, but they have disappeared.

Fitzpatrick: Need one on Rancocas on the vacant lot.

Notes submitted by Maureen Barrett