

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

Township Committee January 14, 2008

Devinney, Hinkle, Ouellette Fitzpatrick, Templeton(absent)

Also Present: Steven Corcoran, Twp. Administrator; Mr. Kearns, Twp. Solicitor; Janice Lohr, Municipal Clerk; Karen Zimmermann, Deputy Municipal Clerk; Mr. Denton, Township Engineer; John Fenimore, Public Works

Board of Health meeting held first:

1. Janice Lohr – Board Secretary
2. Burlington County Dept. of Health appointed inspection agency for 2008
3. Rabies clinic – 80 cats and dogs were vaccinated
4. New fees in place for dog and cat license – everyone seems to understand the increase

CONSENT AGENDA ITEMS:

PROCLAMATION HONORING EDWARD HORN

RESOLUTION 2008-26 APPROVING 2007 BUDGET APPROPRIATION RESERVE TRANSFERS

RESOLUTION 2008-27 AUTHORIZING THE EXECUTION OF A MUNICIPAL SOLID WASTE/RECYCLING SERVICE CONTRACT WITH THE COUNTY OF BURLINGTON FOR THE PROVISION OF SOLID WASTE/RECYCLING SERVICES

RESOLUTION 2008-28 AUTHORIZING PROFESSIONAL SERVICES APPOINTMENT FOR SPECIAL COUNSEL ATTORNEY

Ouellette: Asked to have removed

Fitzpatrick: What about the next two? Aren't they on our executive?

Ouellette: No, it was just a clarification.

Fitzpatrick: So they are OK

RESOLUTION 2008-29 APPOINTING FUND COMMISSIONER – JIF

RESOLUTION 2008-30 APPOINTING FUND COMMISSIONER – MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

PAYMENT OF BILLS

ACCOUNT AMOUNT

GENERAL \$763,764.48

PAYROLL 128,746.37

TRUST 3,317.50

HOUSING TRUST 1,318.39

PUBLIC DEFENDER 352.00
ACCUMULATED ABSENCES 12,350.80
APPROVAL OF MINUTES
12/10/07 & 12/17/07
CONSENT AGENDA approved unanimously

RESOLUTION 2008-28 (removed from consent agenda) AUTHORIZING
PROFESSIONAL SERVICES APPOINTMENT FOR SPECIAL COUNSEL
ATTORNEY

Ouellette: received contract re: Parker McCay from Mr. Heinold. Page 3 #6 on cost, firm deserves right to charge additional hourly rate for Mt. Laurel II, environmental, redevelopment - \$165-225/hr. Heinold said that paragraph could be removed from contract. He would get back to me with a set rate for COAH.

Fitzpatrick: So we're not accepting this right now.

Ouellette: Can accept except for COAH fee.

Kearns: Could approve as you've indicated. You can add by resolution when you hear back from Mr. Heinold.

Fitzpatrick: I would wait.

Ouellette: Concern about pending cases in the meantime.

Kearns: Not moving anywhere in two weeks.

Lohr: Tabled

Devinney: Question about proclamation for Mr. Horn.

Ouellette: Luncheon for him at Public Works. Mr. Horn wanted the proclamation kept to the Public Works family.

Devinney: I'd be happy to read this proclamation. (did so)

RESOLUTION 2008-31 MEMORIALIZING AUTHORIZATION OF EXECUTION OF
EMPLOYMENT AGREEMENT (Township Administrator)

Passed with three yes votes, Ouellette abstaining

MEETING OPEN TO THE PUBLIC

Resident of McCay Way: Mr. Kearns on a flat fee as per reorganization. What professional legal services are we talking about?

Kearns: My recommendation – 4-5 law suits in process. I recommended that Heinold be retained for those items and for COAH.

Fitzpatrick: Other items also - Pulte, Traditions at Newton's Landing.

Resident: Pulte and ...

Fitzpatrick: Sewer line project

Lohr: Bond counsel

Resident: Includes the tri-party agreement?

Fitzpatrick: I'd say it would

Resident: Still paying an hourly rate to Parker McCay.

Kearns: If I did it, you'd be paying an hourly rate as well.

Fitzpatrick: *Burlington County Times* article said town has a new counsel to save money. Wish McHale had gotten in touch with me. He wrote counsel was changed to save money. No matter what counsel you have, you're going to spend the same amount of money. That's why we budgeted that much money last year.

Ouellette: Parker McCay \$160/hr, \$151,000 last year. Kearns firm is \$150/hr. Parker McCay fees for day to day services and attendance at meetings 4-5,000/mth. I can bring those figures to our next meeting.

Resident: Many irons in the fire – mansion and development. It's expensive. Parker McCay was the attorney for litigation for the Columns and we paid a minimum and they had a specialist. We should look for expertise as you are doing with Parker McCay. Mr. Kearns is a very good attorney, but sometimes you need a specialist.

Resident of Maple and member of Rec: Savannah Mews – Recreation Committee sent letters sent to Joint Land Use Board in reference to conversations regarding pocket park located there. We're not interested. We want the developer fee instead. Letter lists concerns. If there is a Homeowners Association – question of access; wetlands, question of mosquitoes. Can we all work together on things? Submitted letter in August of 2007. Are we working together as a team or doing what we want to do and disregarding the committee?

Fitzpatrick: I didn't know that Recreation sent this to JLUB and I'm on the committee. At a JLUB meeting, mayor asked for tot lot. The way that ordinance was written, there were specific items they would have to have to avoid paying that fee. If they think a tot lot is enough, they will have a rude awakening. I agree with rec's letter – that area is near the creek and not suitable. Unless they have changed the plan as they seem to do every time they go to JLUB.

Resident: When state makes the walkway along the river, we will lose it. We have plenty of places for tots to play.

Corcoran: As a member of JLUB, the site has not been selected – won't be until Feb. or March. Site plan isn't in yet. Feeling on board was that something should be there for small children within the development. It's minor and not a park.

Hinkle: Mayor requested a tot lot, not a park.

Ouellette: I requested tot lot so kids would have someplace to go. Much of development doesn't have back yards. With train track and 55+ community, there needs to be someplace for kids to gather so that they are safe.

Resident: Would that be a fee that's deducted from what rec would receive?

Ouellette: I believe Ms. Fitzpatrick answered that.

Fitzpatrick: Mr. Hovnanian needs to be aware of that ordinance. Tot lot would need to be inside the development. Newton's Landing doesn't have any children so they shouldn't have to deal with it. It's hard for me to be at JLUB on Tuesdays due to another commitment. I would have Mr. Kearns review the ordinance. I believe that we are covered. Nothing I recall would let them subtract. I was probably the one who wrote the ordinance. I will take another look at it.

Resident of McCay: Mansion for sale. I'm wondering why on website we have it for sale and then we have a mold RFP right under it. Normally RFP's are done in newspaper.

Corcoran: You are probably right. I took some people through and there was the fire notice and yellow tape on the door. We will change that. It's there as our formal notification in lieu of newspaper notice and a significant savings to the Township. We've had contractors who inquired today. We will change that tomorrow.

Resident of Buttonwood: Mansion is for sale...

Fitzpatrick: 6 applicants – 2 people we are bringing back – special meeting on 23rd.

Resident: Why was there a piece in the paper over the weekend?

Fitzpatrick: You can ask the mayor that. It wasn't a smart thing to do.

Ouellette: There is mold. I was questioned. I answered honestly those questions.

Resident: Asbestos too.

Hinkle: We have a comprehensive report.

Corcoran: Yes, no asbestos

Resident: Nobody on the board told them to print that in the paper? They did it on their own.

Fitzpatrick: No, the mayor did that.

Resident of McCay#2: Any report of toxic mold?

Fitzpatrick: No

Resident: That should be somehow in the minutes.

Corcoran: Spoken to contractors. Determination is that as far as mold goes, it is pretty minor. Nothing toxic. Contractors suggested minimum precautions. Two engineers considered it to be very minor.

Fitzpatrick: That should be publicized.

Resident of Buttonwood: It should be corrected.

Corcoran: We are doing the program under FEMA. We are absolutely doing it the right way.

Resident of McCay: Talk of looking into the Jacobs Building for recreation.

Hinkle: Don't know. It's under our discussion items for recreational facilities.

Ouellette: Kate, you had Mr. Denton look at West Ave.

Denton: Looked at West End as far as where it would be possible to put soccer fields.

Fitzpatrick: Surveys through DYSA and Rec indicate that we need two soccer fields in addition to a building. Pennington is a bad idea. We should look at the land we already own at West Ave.

MEETING CLOSED TO THE PUBLIC

CORRESPONDENCE

1. PSE&G regarding construction
2. NJDiv of Forestry – til Dec. to submit Community Forestry Management Plan
3. DOT – didn't receive Municipal Aid Grant – Edwards, Richards, etc. – not approved
4. Letter of resignation of tax assessor
5. Letter from Matthew Bartlett regarding Shade Tree issues
6. Final meeting liability seminar – (missed date)

Fitzpatrick: Is someone handling Mr. Barlett's letter?

Fenimore: Will be done tomorrow

DISCUSSION ITEMS:

1. "LETTER OF CONTINUATION" – EVALUATION OF RESIDENTIAL TRASH COLLECTION SERVICES

Corcoran: Free participation in a survey to determine ways to save money. DCA requested this confirmation of the original resolution. Passed unanimously

2. SICK LEAVE RESOLUTION

Corcoran: At request of our chief, we are requesting modification so that department manager and administrator would approve sick leave. Police department would prefer to handle within. I see no problem.

Fitzpatrick: Was that the ordinance that indicated that they couldn't work another job on sick leave? I don't understand what the chief is asking.

Corcoran: Chief asked for exemptions.

Fitzpatrick: I don't think that's a good idea. Needs to go to Township Committee. We already have an ordinance about working on sick leave. They can't do it.

Corcoran: There were exceptions. I'll bring the ordinance back to discuss it.

Ouellette: I would agree that the recommendation may be made by the administrator and chief, but final approval should go to Township Committee

Lohr: Continued to next meeting.

3. RECREATION FACILITY UPDATE

Corcoran: Mr. Denton has done preliminary draft of where soccer fields could go at West Ave.

Denton: Those locations are based on county's GIF map – wetlands and flood line are indicated. Heavily treed area (I didn't see the map)

Fitzpatrick: In conjunction with existing fields, it's hard for me to determine where our existing streets are. The land on the other side of Beaver St couldn't be used?

(came down to Mr. Denton) We couldn't put anything here (pointing)?

Denton: Stream,

Fitzpatrick: This is the area where we could put one.

Denton: There one could be done.

Fitzpatrick: It's on an elevated property.

(lots of two person conversation on dais pointing at maps. Involved members of rec who were in the room.)

Fitzpatrick: I'm thinking about the land we own on the other side of West. Where we have the pony rides and Easter egg hunt.

Denton: Not big enough

Lohr: Sewer main running right down there.

Fitzpatrick: Other item under the fields. Steve, did you get the report? Can we have Fred disclose this report? We were told that the land behind the municipal building was contaminated. It's not.

Hinkle: From time to time, Sewerage Authority has to do samples of Nellie's Pond. Nov. 16, 2007 and analysis – all lab tests. Would be glad to give anyone a copy. Not contaminated.

Corcoran: We will be getting information from DEP on that site within the next few weeks.

Fenimore: You will have to have all the silt tested at West End before you do anything. Compost sometimes has a smell. You could get a good whiff and be having a soccer game.

Ouellette: Input from Rec and DYSA will be important as will our master plan. Need to incorporate those areas into that master plan.

Resident of McCay: Rec hasn't gotten a copy of the master plan and hasn't reviewed it. History committee is reviewing it too.

Fitzpatrick: I have information to give the planners. It's going to be impacted on the budget. We need to move forward with something now. Planner gave us a list of questions that we answered at the meeting.

Resident: I remember master plan presented to JLUB in December.

Fitzpatrick: Township Committee hasn't received it either.

4. MANSION UPDATE

Corcoran: Process of cleaning out. Compliments to Public Works for filling a 30 yard dumpster. One more day and dumpster and they will be done with it. Will save township a considerable amount of money on the mold removal contract.

Fenimore: There's very little air in that container. Then we will have to work on removing the paint.

Ouellette: I went through the mansion this morning. We are getting some of the proposals in. It made a great deal of difference.

Hinkle: Historical group removed some things. What?

Fenimore; Fire walls.

COMMENTS – PROFESSIONALS

Denton: No municipal aid grant received. I'd like to have some DOT personnel come and look at our streets and let us know which they think would have the best chance. We should have a better chance since it's been two years since we've received a grant.

Fitzpatrick: Thanks for doing report on Rec. project.

COMMENTS – TOWNSHIP ADMINISTRATOR -

Corcoran: Required training for planning board members - Mr. Kearns will conduct training on site on Sat. Jan 25th at 9:00am for five hours for all eligible members.

Planning association will allow those who aren't due this year, but are due next year.

Have extended to Beverly, Edgewater Park, Florence, Riverside, and Delran. Mr. Kearns is doing this for no charge. We will provide food. Great cost savings for us.

Ouellette: Attended last Saturday at Galloway Township. Side discussions very helpful.

COMMENTS - DEPARTMENT HEADS

Public Works

1. Leaf season is over – six trips through the streets

2. Carriage house flooded out again. Water shut off at the curb.
 3. Christmas tree pick-up. We'll be around.
 4. New tractor received. \$5-6000 worth of attachments. Neighboring towns have them so I will be utilizing shared services. There are a couple I have to order for ball fields.
 5. After trees, working on streets and storm drains.
 6. Will finish Columns clean out
 7. Generator at school needs service – following up on that
 8. Library sign received today – brought 8 ft poles instead of 10
- Fitzpatrick: are they replacing the poles?
 Fenimore: Yes.
 Fitzpatrick: When you are ready to put them in, I'll go over the sites with you.
9. Thanks to Ed Horn for all of his help especially his book on OSHA requirements.

COMMENTS - TOWNSHIP COMMITTEE

Hinkle:

-Peter Frist wanted a copy of Hawk Island paper – Laurie VanGenderen's paper from college is here.

Corcoran: Put on our website.

-Couldn't make Ed's party – death in the family

-Article on duck decoys in Beverly Bee – Astemborski's and Kate's grandfather were mentioned.

Devinney:

-Smart Growth meeting – Reconnecting Your Community Grant– circulation plan. The more I look at it, it occurred to me that this would help us do our planning regarding recreation plan with professional thinking. How would we handle Pennington? Hawk Island? I attended meeting because if you don't, you can't apply for the grant.

-Badgering PSE&G regarding sodium street lights. They haven't been forthcoming – savings are considerable for power and they only need to be replaced half as often

Fitzpatrick:

-Seniors meeting – Post Office presentation – Brian Fitzgerald from computer company helped with equipment. Historic Preservation Advisory Board compiled the presentation. Should present at Township Committee meeting and invite the public.

-Library – budget – question on what the county would contribute. She thought 10%, but then that she didn't think we would get as much as last year.

-Recreation Reorganization (missed all the names)-

-Distributed monthly newsletter throughout the town

Ouelette:

-First JLUB – reorganization – now Planning Board – Laurie VanGenderen is chair.

-Attended training for planning board on Saturday

-Reviewed invoices from solicitor

Went to executive for contract matters at 9:01pm.

Submitted by Maureen Barrett