

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

Township Committee January 28, 2008

Devinney, Hinkle, Templeton, Ouellette Fitzpatrick

Also Present: Mr. Corcoran, Twp. Administrator; Mr. Kearns, Twp. Solicitor; Mrs. Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Mr. Fenimore, Supt. of Public Works; Mrs. Fegley, Township Planner; Mr. Goffredo, Code Enforcement Officer

**PRESENTATION – RYAN HOMES**

Request for Amended Phasing Schedule – Rivers Edge Development asked to be excused – not here

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

(tabled from 1/14/08 meeting) – will continue as bond counsel

Ouellette: Heinold reduced fee from \$175 to \$165/hr.

Passed unanimously

\*\*\*\*\*

**CONSENT AGENDA ITEMS:**

**RESOLUTION 2008-33 APPROVING 2007 BUDGET APPROPRIATION RESERVE TRANSFERS**

**RESOLUTION 2008-34 RESOLUTION AUTHORIZING TAX COLLECTOR TO PROCESS PROPERTY TAX BALANCES LESS THAN TEN DOLLARS**

**RESOLUTION 2008-35 REFUNDING UNEXPENDED ESCROW ACCOUNTS (STREET OPENING PERMIT # 2007-004)**

Ouellette: Concern with streetscape. \$ to be released to Birdsall

Lohr: Street opening permit.

(I missed a little bit here. I went out to ask the developers in the lobby to be quiet so we could hear in the courtroom.)

Corcoran: Taking out concrete and widening the road

Lohr: One bill for centerpieces will be corrected. \$62.00 less than the current.

**PAYMENT OF BILLS**

**ACCOUNT AMOUNT**

GENERAL \$65,370.03

PAYROLL 68,063.47

TRUST 39,148.74

**APPROVAL OF MINUTES**

1/2/08 & 1/4/08

**APPOINTMENT: Sewerage Authority**

Thomas Fynan – Five-Year Term 2/1/08 to 1/31/13

**APPROVAL OF DEPARTMENT REPORTS**

Consent agenda passed unanimously

\*\*\*\*\*

Presentation introduced by Mr. Hart for Henry Kent Smith (Grapevine)

Craig Rahenkamp: J2 had entered into an agreement with plan on board – 8 new townhomes and remodeling main house for B&B – problematic as far as impact on neighborhood and business end – no one willing to put their capital into that. John Hooper withdrew then. J2 looking for a different use and partner. Randy Cherkis (?) Joe (couldn't hear), JDS Properties in NJ. Core of mansion would be senior rental living with income restrictions. Retaining 8 townhouses and carriage house. Using resources in the community instead of chasing monies from other levels of government. 24 units in house – Developers already in community have the obligation to provide COAH. Each developer would contribute money to the project to meet their COAH. Riversedge 16, 3 on Creekside, 3.5 acres on Russ Farm would have some obligation too. Ryan would be a partner too. That's why Ryan asked to hold off their presentation a month. This solves their issue. This creates market rate housing in the community – 11 million in real estate back to tax rolls from the development without changing site plan. No additional housing would be built, but there would be a significant bump in taxable real estate. You don't have to wait for rounds of financial discussion. It gets done here. We think the proposal makes sense and would like to meet with you in executive session to go over numbers. Cherkis: from Moorestown – six partners with 140 years of combined experience. President of REMax NJ here too. Terry Deckert and (missed it)- experience in business. JVS has 40 properties in Burlington County. We have two redevelopment properties – Camden and Lumberton. – others in early phases as well. Essentially taking existing proposal with senior residence in center. Will be happy to come back to discuss.

Templeton: Riverfront property?

Cherkis: Included with whatever deed restrictions. Want to take that and have the obligation to maintain it.

Templeton: Who would be manager of the end result?

Cherkis: Talked to a couple of parties – Lutheran group meeting tomorrow. That's the type of operation we would be looking at.

Fitzpatrick: Would separate entity own it? Salt and Light buys and maintains. How would you handle the property?

Cherkis: We would own and do renovations. Have long-term interest. Would negotiate long-term lease with Lutheran homes. That keeps the property taxable.

Fitzpatrick: They keep their properties up. Salt and Light doesn't do as much.

Rahenkamp: Carriage house – condo owners. Marketable units on site will ensure what's around them would be maintained.

Cherkis: Shared responsibility with owner of house with condo owners.

Fitzpatrick: Lutheran homes have to run a lottery; would you?

Cherkis: Don't know. ..will find out

Hinkle: Yes

Rahenkamp: Some towns run their own system. It's up to you. Lutheran homes has such a large operation, towns let them do it.

Templeton: Removing COAH from those developments clusters it. We were told that COAH should be transparent. In ten years, it shouldn't be obvious that that is the low-income area. Seeding those units out avoids that.

Hinkle: Now they want the COAH units together, but I don't like it. They want them together because it is easier to manage.

Rahenkamp : Both right. No such thing as scattered rental housing in COAH. We are still not saying entire municipality's obligation should be on one site. You are collecting linkage fees and will need to find a place to spend it. This neighborhood will have done its share.

Fitzpatrick: Wouldn't it increase our COAH with more market-value homes?

(Missed something here)

Kearns: Under which set of rules?

Rahenkamp: (missed all of this- references to second round and third round obligation)

Fitzpatrick: Question of senior proportion.

Rahenkamp: Not adding new units

Lohr: When you talk about transferring RiversEdge – 14 unit building at mansion means they don't have to do any more on site. We have a 37 unit obligation

Rahenkamp: Talking about round 3

Lohr: RiversEdge is round 1

Rahenkamp: We're meeting current obligation in your current plan. Debate about third round – if you have a second round plan, and you do , can you continue to get (credit?)

Lohr: What do you classify them as? Accessory units?

Rahenkamp: No special category

Kearns: What's the advantage to the township? Allows developers to shift their units here. Helps them. Doesn't help township get bonus units or meet third round obligation

Rahenkamp: It all depends on if town needs to meet current obligation quickly. If the goal is more credits in third round and township can wait, that's fine. Town has to decide if it needs to do this quickly or not.

Templeton: Price?

Rahenkamp: Same as original contract.

Corcoran: Need to consider new COAH plan.

Templeton: Have planner meet with us in February to discuss the COAH plan. Talk amongst ourselves as to what the positives and negatives are for us.

Fitzpatrick: Give them the information ahead of time so they can be prepared

Corcoran: I would suggest that there is some urgency, but she should let us know when she is prepared.

## MEETING OPEN TO THE PUBLIC

No comment

## MEETING CLOSED TO THE PUBLIC

## CORRESPONDENCE

1. Letter of resignation from Jackie DiCarlo Recreation Commission and (didn't hear)

Hinkle: Jackie is moving to Mt. Holly and buying a historic house with Vince. Hope she will be very happy.

Ouellette: Wish Jackie all the best in her new home. Thanks for her contributions to our town.

Fitzpatrick: We should recognize her at a Township Committee meeting for her service.

2. Letter – request of use of Gateway Park in October – set up chairs – Steve could talk to John. Can act on it later. Special request for something we haven't done before.

Ouellette: It's nice they sent a letter. We've had people who didn't send a letter

Fitzpatrick: Dave Rust is the person. He bought Jackie's house.

Devinney: We need to consider what happens if two groups show up to use it at the same time.

Lohr: Hard to tell if he's asking to set up chairs or asking us to.

Templeton: Do we schedule so we don't have a conflict?

Lohr: We put it on our calendar. If someone shows up, they won't be able to use it.

Motion passed unanimously

## DISCUSSION ITEMS:

### 1. PROPOSED "WRONGFUL DEATH" LEGISLATION

Kearns: Legislature adopted bill that increased exposure for governmental bodies to claims for awards based on emotional distress. Jury could award damages. Governor did pocket veto. Bill is being reintroduced – claim for actual damages and loss as well as emotional distress – cap of \$2 million. JIF says that could result in 6-10% increase in premium. Recommending that township governments contact legislators.

Corcoran: Asking for motion to oppose.

Kearns: Exposes township, county, state, etc. to claims. "Emotional distress" is like telling a jury to do whatever it wants to do.

Devinney: Where can we line up to make a motion?

Motion passed unanimously to send message to legislators urging that that not be passed.

Fitzpatrick: They provided us a resolution

Lohr: Sample resolution.

Kearns: (read resolution)

### 2. MANSION UPDATE

Corcoran: Mold quotes received – state police and FEMA much lower estimate than what we received. Forwarded it to state police (acting agents for FEMA) who forwarded it to FEMA. Waiting for approval. Expecting it to take a week or so. FEMA asked about other work. It doesn't make sense to do it until mold work is done.

Fitzpatrick: What was the amount?

Corcoran: \$20,000 - FEMA's estimate was \$1900.

Hinkle: If we have that done and have a problem in three months, what happens?

Corcoran: We will clean it up and then I will be asking you to purchase dehumidifiers for the basement.

Hinkle: Didn't FEMA say they would pay for them?

Corcoran: Yes. Other concern is fire alarm – estimate \$20,000 for repair. Have received some recommendations and suggestions from other companies. I'm beginning to believe that since the prior owner didn't like to pay bills, the phone lines were disconnected.

We're going to reconnect and we will know the status of the dialers.

Ouellette: Mysterious phone ringing at the mansion?

Fitzpatrick: That's the alarm

Ouellette: No, it's a regular phone

Templeton: Never found it.

Hinkle: I heard the phone ring.  
Corcoran: Verizon says there is no phone line there

Ouellette: Appointing a tax assessor – Mr. Joseph Robinson – highly recommended  
Resolution 2008-37 – Passed unanimously – fills unexpired term

Ouellette: Shade Tree appointment  
Hinkle: Mark Lacina, Maple Avenue - full term  
Passed unanimously

Ouellette: COAH Planner – Mary Beth Lonagen (sp) – worked for COAH  
Resolution 2008-38 Professional service contract for COAH planner for Township  
Passed unanimously

#### COMMENTS – PROFESSIONALS

Fegley:  
Smart Growth grants – category for reconnecting your community – Devinney’s idea was to connect the parks. Have to look at whole circulation plan. I asked for draft master plan – got tonight – there is a component in there. I’d like to look into it. Due Feb. 29<sup>th</sup>. It would have to be a whole component linking parks, facilities, and other sites.

Kearns:  
-Mandatory Training for Joint Land Use Board – with Barbara Fegley and Kevin – this past Saturday – folks are certified.  
Templeton: Was everyone able to make it who was in jeopardy?  
Corcoran: Yes, and members of board not due until next year.  
Templeton: That’s huge. Good job.  
Kearns: Got DCA to extend deadline until March.  
Ouellette: Thanks for helping our folks out here in town.

#### COMMENTS – TOWNSHIP ADMINISTRATOR

Corcoran:  
1. Thanks to Barbara, Kevin, and Bill for donating their time for planning training at no cost to the township.  
2. Passed out – Patricia Capri (spelling?) from The Point – serious issues with home. Asking the township to help her to put pressure on Alliance. Bond reduction not on agenda tonight. Talked to Pat and explained that township can’t take action on bond due to homeowner’s maintenance. Able to get insurance company to do an investigation.  
Hinkle: It’s been a long time. Basement is cracked. It’s a big concern.  
Fitzpatrick: Surprised that we haven’t heard more complaints from Alliance. Remember Edgewater Park resident came to warn us about Alliance.  
Hinkle: Driveways have had problems, but they have been resolved.  
Corcoran: We deal with streets that are covered by bond – not interior items like basements. Township’s involvement gets their attention. Anything with flooding is considered for performance and maintenance bonds.

## COMMENTS - DEPARTMENT HEADS

### 1. Public Works – Fenimore

- Sweeper doing well
- JIF – indoor air quality
- Feb 13 – three guys to chipper safety course

### 2. Zoning and Code Enforcement - Goffredo

- Dec report: 31 complaints
- confiscated signs
- closed 58 cases
- 11 rental inspections – mostly commercial
- 4 permits approved

For year 2007:

373 complaints – 359 now in compliance – 14 still pending due to climate since they involved exterior painting. Got extensions

Fitzpatrick: 200 Rancocas?

Goffredo: going to court

Fitzpatrick: He brings trash from out of town. Leaves brought in. Not maintaining trash there. Is there some way I can be a witness?

Goffredo: yes, we will bring you up.

Fitzpatrick: I talked to him when I was mayor. I took trash and recycle schedule.

Goffredo: I told him to get his own dumpster. He has no lids and a plastic container.

I'm going to talk to the police also.

Fenimore: Tell him we don't pick up bags of leaves.

Fitzpatrick: Maybe not me...one of my neighbors should be a witness

Kearns: She shouldn't be a witness since she is on the Township Committee

Goffredo: for 2007 \$921 in postage to mail out violations – good compliance

51 rental inspections. 21 summonses for year – Fines \$981

Zoning – one approval

49 permits approved – 14 denied and went to JLUB.

18 fences approved – 1 denied – placement – need to get a variance.

### 4. Municipal Clerk

- Feb. 5 primary election – polls open 6am -8pm
- Township Committee meetings Feb 11<sup>th</sup> and 25<sup>th</sup>

## COMMENTS - TOWNSHIP COMMITTEE

Hinkle:

-Shade Tree – reorganization – mission statement and draft of trees.

-I'd like to revisit the driveway ordinance.

Fitzpatrick: I'm going to call Keith Mohrman

Templeton:

-Apologies for missing meeting – had to work

-NJ Transit – graffiti on bridge over Rancocas - asked questions regarding quiet zone considering fatality on line in Dec.  
-DEP hasn't received application from Winzinger – DEP hasn't received  
Fitzpatrick: Question re light rail. Palmyra and Riverton – bells and not horns.  
Templeton: Meeting with Allen – NJ Transit had an application to change horn pattern – slight shorter, can't use bells. Not allowed to. Palmyra and Riverton were surprised that they had received a waiver. Senator Allen's office was to follow through. I haven't heard that just using bells was authorized.  
Fitzpatrick: in paper  
Templeton: In error. As much as we would like that.

Fitzpatrick:

-Economic Advisory – once a quarter – next one in April. Will send minutes to Marie for website. Discussed Savannah Mews – name better for Delanco. Checked with Historic Preservation – majority would prefer Rancocas Crossing. Trees discussed – some were already named.  
-DYSA – Asked officers to send letter. They didn't. The two officers are resigning. Meeting Feb. 13 at 8 at Walnut Street – need officers and department heads to run the programs. Rec will have to take this program back if that doesn't happen. I'm hoping that people will come forward.  
-Library – Wrote to county to ask for money for our library. Signs are in and John is ready to put them up. The board has been trying to get signs for years.  
-Senior Feb 12 – Police officer on home security March – Director of Consumer Affairs  
April – craft by Jean and Marlene – will be donated to Buttonwood Hall  
-Movie night here on Friday night – Try once a month. We have facilities and equipment.  
-Fire house – budget and fire commissioner vote Feb. 16 at fire house 2-9pm  
-Promote Resolution to stop NJ American Water from raising their rates.  
Hinkle: 25% increase  
Devinney: 22%  
Kearns: Letter and resolution  
-Money from litigation for the municipal building is \$47,000 – will be needed to replace HVAC  
-Someone from Newton's Landing having creek cleaned to Delaware River by River Keeper?  
Corcoran: Haven't seen it.

Devinney:

-Fire commissioners meeting – go vote on Feb. 16<sup>th</sup> – Note meeting room completely refurbished. Supported by EMS hoagie sale. Spoke to Randy Johnson to try to synchronize inspection of apartments. He is looking into it.

Ouellette:

-Economic Development – name for Savannah Mews.

Fitzpatrick: Letter to JLUB from Rec, Historic Preservation - Rec doesn't want any of the fee to come off. If he wants that, then he can buy the building. That's the way these developers work.

Fitzpatrick: still looking at the fields. Asked Dave to look at AA field – used now for hockey. That land may be good for soccer.

Fenimore: Too small – not regulation. Talked to Dennis from the schools– try to do something with that field up there to bring it back so it would be a nice field for field hockey and soccer. It's a disgrace that they don't have a decent field. Back end of Pearson – make a field there.

Fitzpatrick: To our advantage to find property in town. To school's advantage to work with us. I still think we should look at the AA field

Fenimore: Practice, but when it rains, it gets soaked.

Resident: Used to be a swamp.

Ouellette: Need to take a look at that for our master plan. A recreation building should be in there. Cost analysis of different options.

Hinkle: My daughter played at Pearson

Open to public:

Resident: Palmyra, Riverton, East Riverton are asking for bells

Templeton: No provision for straight bell unless you establish an expensive quiet zone.

Resident: Cars on Pennsylvania Avenue too

Resident of McCay: Can you ask redeveloper to give something back?

Kearns: Can't get an exactment. You can get a particular use.

Resident of Buttonwood: Rahenkamp – we tried with Newton's Landing – he wouldn't donate anything

Resident: of McCay: Developers don't really give anything back to the town. Looking for a tool to put pressure to get something back.

Kearns: Some things you can get them to do, some you can't. Can negotiate. Real case – developer asked for variance; would give fire truck...got all approvals, didn't give the fire truck.

You have more of a bargaining chip when they want something from you.

Like what we saw this evening...you have to ask what they are doing for the town.

Resident: They don't have to grant your desires.

Kearns: Not if they are meeting the ordinance.

Resident: You hear about what other towns get.

Kearns: Ex. Tax concession for Merck, but it revitalized Willingboro Center.

Resident of Burlington: West Ave. through gate onto dirt road – land on right side?

Fenimore: We'd like to say we do, but we don't

Resident: Any way we can get it?

Fenimore: No

Resident: Good place for soccer fields

Fitzpatrick: That's where Dave Denton looked



*Submitted by Maureen Barrett*