

Township Committee Meeting Minutes July 28, 2008

WARNING: Not your usual reporter! Fortunately, this was a very brief meeting& Unfortunately not too terribly much was accomplished& and so it goes.

Roll Call: Devinney Absent, Fitzpatrick, Hinkle, Templeton, Ouellette Present. Also in attendance: Lohr, Township Clerk, Kearns, Township solicitor.

Resolution 2008-97 Resolution to Amend 2008 Budget

No public comments

Motion by Hinkle, seconded by Templeton to approve. Fitzpatrick, Still not satisfied with resolution on budget. I vote no. Other three members vote yes. Resolution passes.

Resolution 2008-105 Approval to Submit a Grant Application and Execute a Grant Agreement With the New Jersey Department of Transportation for the Richard Avenue Roadway Improvement Project.

Motion Hinkle, second Templeton, passed 4-0.

Meeting Open to Public:

Resident of McCay: Concerned with new regulations coming from COAH and State legislature regarding the newest calculations for COAH& could end up being lot of units for Delanco to construct& after looking on the NJ League of Municipalities web site, noticed they have filed a lawsuit against the recent legislation& Is there anything other municipalities can do to join the effort?

Attorney Kearns: The township can develop a resolution in support of the lawsuits, contribute the suggested \$500 to the NJLoM to contribute to the suit& there are currently 12 different appeals to the new legislation including municipalities, fair share Housing, builders and others.

Hinkle: Have any other towns joined in filing?

Fitzpatrick: Some have&

Kearns: Is there a specific question you want addressed& I am counsel to the NJ LoM currently, although Ed Rusak(?) is the lead counsel on this issue& what we are

principally looking at is the methodology for calculation of new COAH requirements in the 3rd Round& the new legislation counts open space as part of the calculation for housing& other things, like cemeteries, football fields, environmentally restricted areas that cannot support residential construction& the calculations are faulty& employee calculations that affect COAH totals for businesses are off warehouses are calculated at the same level as office buildings& there are serious issues of methodology.

McKay resident: It would be about 170& it's extremely costly to build and really hurts the small towns& Other than resolutions, what can towns do?

Kearns: Talk with your legislators& there may be new legislation that comes from it, but we have no idea what may come of it& for example, the new regulations prevent RCA agreements to stop communities from transferring their obligations to other towns& but what if, for example, a town has an older school that is no longer in use and its population is built out& their neighbors are growing fast and have large COAH obligations& wouldn't it make sense to try to convert the unused school to meet a more regional sharing or transfer of obligations? RCA's are now history& when you talk about a confusing subject, it is an understatement.

Fitzpatrick: the new COAH will threaten open space and will cost taxpayers more& we will see an increased cost to open space and an increase in taxes due to the new obligations. We need to find a way to stop or amend this 3rd round of COAH.

McKay Res: Our number is 173.

Templeton: The best effort is to contact the State legislators and governor's office.

McKay Res: Is there anything else we can do a referendum a way to send a really strong message?

Kearns: A referendum would require signatures of 25% of the state's registered voters& unlikely to do at this point in time.

Hinkle: We're the only state that has this kind of mandate&

Kearns: No, there are other states& but not to this extreme.

Fitzpatrick: We should ask the citizens if they want to join the lawsuit and fight this

Kearns: We talked about this, was there a resolution to send in the \$500 to join the lawsuit?

Lohr: As I recall we did not produce a resolution.

Ouellette: We were immersed in the budget process and did not send in \$500

McKay Res: I am asking the committee to send in the money, to reconsider spending the money&

Templeton: The court fight and litigation is already ongoing& our dues to NJLoM are a part of what already funds their actions.

McKay Res: I read that we have until August 15 to join the lawsuit and pledge the \$500?

Kearns: Municipalities have until 8/15 to send in comments regarding the lawsuit.

McKay Res: I would like you to reconsider and move forward in a positive manner.

Lohr: I noticed that the last COAH calculations (before the new legislation) was including Dietz & Watson as coded for office space instead of warehouse space& was that taken care of?

Kearns: If that was done, you should take it to Kevin Haley (Delanco COAH planner?) to represent you to COAH on that issue.

Fitzpatrick: Did anyone give Kevin direction to challenge the Delanco numbers? Deitz & Watson and the Pennington Park were in the calculations

Ouellette: I will call Mary Beth (another Delanco COAH planner) and Kevin first thing in the morning.

Kearns: You won't be able to reach her first thing& I'm meeting Mary Beth in Florence& I will let her know you need to speak with her and ask her to call you&

Resident Burlington Avenue: Earlier we released funds to purchase (our share) of the new Riverfront Animal Control Truck& does anyone know if that has been done& or

are they just holding our money? I saw the old Animal control vehicle still driving around&

Templeton: I know that the truck was in a purchase process or was expected soon&

Hinkle: It could be they are using both vehicles?

Burl Ave Res: Maybe was wondering& A few of my neighbors asked about the letter of resignation of Steve Corcoran that was read by Kate at the last meeting&

Fitzpatrick: Yes, Steve was unable to read it to the public, he asked me to read it for him&

Burl Ave Res: In the letter you read, it is also posted on the township website& but part of that was missing from what you read&

Fitzpatrick: What part?

Burl Ave Res: The part about him needing to serve 90 days notice by contract, but him asking the township to waive 30 days of that time& only giving 60 days notice& What my neighbors are asking about is that with all the events surrounding the renewal of his contract last year, shouldn't he have given 90 day notice?

Fitzpatrick: Well he has a new job that starts soon& plus there are a lot of legal issues as well& We'll ask Steve why that part isn't on the website&

Burl Ave Res: I have a question about the benefits that 9 contract employees have& do they have copays? Could this have been looked at during budget?

Lohr: There is no copay for the premiums. All our employees are in the NJ State Benefits Program, which requires equal treatment of all employee classes.

Burl Ave Res: Is that full coverage for dependents as well?

Lohr: Yes, families and dependents.

Fitzpatrick: The increase in benefit costs counts as a raise and that wasn't counted when we did those agreements& a lot of businesses can't afford to pay the increased

costs of benefits& that was a 6.5-7% increase to the benefits plus the four percent to salary&

Burl Ave Res: Are we locked into this every year?

Lohr: That is a part of the bargaining process during contract talks& something the township can take a look at.

Burl Ave Res: I also noticed on the township website a photo of Kate, John Fenimore and Steve at a park& where was that taken?

Fitzpatrick: Two Fridays ago& looking at why we couldn't put a soccer on the grounds out there since our concession stand is there& there's just no place to put stuff& no room at all out there& the idea of putting another field anywhere out there- we finally put that to rest

Templeton: With regard to the comment about the 4% to some employees& it was a few unrepresented employees who were receiving the same increase as other employees& and it seemed unfair to treat them differently&

Fitzpatrick: We are locked into contracts with all other employees and in these times we should make these cuts what do you want to do just wait until next year when we have to lay someone off& we're locked into collective agreements with the other groups.

Templeton: It seems unfair to pick on only a handful of employees&

Fitzpatrick: We're not picking on employees, they just have these benefits that are generous and we have to make cuts some businesses don't have these kind of benefits&

Templeton: First& this is government& public service, not private industry. Historically, public service paid less in actual salaries/bonuses, but held more consistent benefits for employees.

Fitzpatrick: Some of our salaries need to be capped, we're just paying too much& every year the salaries keep going up& we're paying some crossing guards \$15 an hour& I think that is excessive. We need to look at no pay raise and caps and count increased premiums as a pay raise&

Resident, Delaware Ave: Both Fitzpatrick and Templeton made correct statements about employee compensation& First, you could start negotiating contract based on total compensation, rather than treating salary and benefits as separate items in negotiations& And, yes, traditionally benefits for public employees are usually better than private industry because the salaries are not commensurate with private industry. To pick on one group of unrepresented employees to control costs when there is no way in the world you would ever say no to a politically strong group is unfair. There is no way in the world you folks would ever say no to a police contract, for instance& doubtful you would ask them to take the cut. Should you wish to start looking at compensation differently, perhaps you should include the assistance of citizens who have experience with labor negotiations.

Fitzpatrick: We could make cuts in police contract, but they would just take it to arbitration and regardless of the towns financial position, they would win anyway.

Burl Ave Res: Its now almost August 1st& with the resignation of the township administrator, what short term plans do you have to replace Steve?

Ouellette: Steve is on vacation for 2 weeks and Ed is on vacation& we are waiting until we have a full council and we will start talking about it.

Meeting closed to the public.

Discussion Items

Proposed resolution for Suspension of Municipal Open Space Tax

Fitzpatrick: I say we should repeal the two cents not 1 cent waived for this year like they want to do. We will ask for that when Mr. Devinney returns next week.

Ouellette: Are you willing to spend \$1300 plus the money collected to date to do this?

Kearns: The money already collected from 1st and 2nd quarters are estimated taxes& not set tax rate& so there would be no refund, the 3rd and 4th quarter taxes would simply be adjusted to balance the total.

Fitzpatrick: I say do it

Ouellette: I'd recommend just not collecting the tax for the 3^d/4th quarters& in effect we already have half or 1 cent of the tax for this year collected.

Templeton: The mayor has an excellent idea. 1 cent would zero out the obligation for this year and eliminate any concerns the repeal of the local tax might have on current or new Green Acres projects& it gives us the flexibility to pursue projects, control our future and maintain the funding that the voters of this town found valuable enough to agree to during the open space referendum&

Fitzpatrick: I was mayor during that referendum and I support open space, but the legal advice we have says everything is covered, there are no problems doing this, so I don't know what the problem is with you&

Hinkle: How much is it per year?

Templeton: About \$90,000 townwide.

Hinkle: For the average taxpayer, what's the cost for 1 cent?

Lohr: \$43

Templeton: As I was saying before interruption& the public voted on this. They felt the issue was worthwhile enough to impose a tax on themselves. I think it is shortsighted& pandering and grandstanding& the funds have been useful during our most recent budget to help save money on projects&

Fitzpatrick: What other projects have we saved money for the taxpayers other than the oil tanks from the mansion and the roof from FEMA money? I think we should save the taxpayers this money for one year (there was more discussion here, but didn't get it all) A member of the public gave me this suggestion, that's why I looked into it&

Templeton: I move we should proceed with a reduced collection of 1% open space tax for this year.

Fitzpatrick: I think we should wait for Ed.

Ouellette: I was under the impression we would have to return collected funds, but that is not the case. Ms. Fitzpatrick wants a zero collection for 3rd/4th quarters of this year and 1st/2nd quarters of next year. I second the motion on the floor.

Fitzpatrick No, Hinkle No, Templeton Yes, Ouellette Yes. Motion fails for lack of a majority.

Status of Adoption of 2008 Municipal Budget

Lohr: As your open space tax is unresolved, advise you wait until August 4th meeting to finalize budget.

Hinkle announced tickets to Corcoran luncheon are on sale. Please see her.

Motion to adjourn Hinkle, second Templeton. Meeting Adjourned.

Minutes submitted by David Suter