

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

Present: Hinkle, Fitzpatrick, Templeton, Devinney, Ouellette,
Township Clerk Lohr, Township Solicitor Kearns, Code Enforcement Officer Goffredo,
Lt. Sacalis of Delanco Police

TOWNSHIP COMMITTEE MEETING– DECEMBER 15, 2008

Ouellette: Executive session at request of COAH professional (I didn't catch his name)

Returned from executive

Resolution 2008-164 to rectify error that was explained during closed session. This was in regard to the COAH account.

Professional: There is a procedure for property owners whose property has been identified on the plan. Public will have opportunity.

RESOLUTION 2008-156 ENDORSING THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

Devinney: I don't agree with all of this or how COAH is going about it, it seems it would put us in a better position later.

Templeton: I have reservations on how this is calculated by COAH – no basis in reality of what is really here. Data says that just under 50% of our current population would qualify for some level of COAH. We don't have any good choices here. I vote no as a symbol of protest.

Hinkle, Fitzpatrick, and Ouellette voted yes.

**ORDINANCE 2008-10 to amend DELANCO TOWNSHIP CODE, CHAPTER 295,
BY ADDING TRAFFIC CONTROL PROVISIONS FOR Newton's Landing**

***PUBLIC HEARING ON AMENDMENTS**

HEARING OPEN TO THE PUBLIC – no comments

HEARING CLOSED TO THE PUBLIC

Passed unanimously

ORDINANCE 2008-14 PERSONNEL PRACTICES ORDINANCE PROCEDURES TO ADOPT PERSONNEL PRACTICES AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO IMPLEMENT THOSE PRACTICES WITH ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, AND INDEPENDENT CONTRACTORS OF THE TOWNSHIP OF DELANCO.

***2ND READING BY TITLE ONLY AND PUBLIC HEARING**

HEARING OPEN TO THE PUBLIC – no comment

HEARING CLOSED TO THE PUBLIC

Passed unanimously

ORDINANCE 2008-15 OF THE TOWNSHIP OF DELANCO REQUIRING
NOTIFICATION OF THE DELANCO TOWNSHIP HISTORIC PRESERVATION
ADVISORY BOARD BEFORE ANY DEMOLITION PERMIT IS ISSUED
*2ND READING BY TITLE ONLY AND PUBLIC HEARING
HEARING OPEN TO THE PUBLIC

Chair of Historic Preservation Advisory Board: This doesn't stop anyone from tearing down property. It just allows us to take pictures. Sometimes people are concerned that it's a creeping thing and eventually you won't be able to hang window shades. It's the construction officer who would notify us.

HEARING CLOSED TO THE PUBLIC

Passed unanimously

Templeton: Ran into county official – Rhawn house

Chair of Board: Within a few months.

RESOLUTION 2008-157 RESOLUTION ADOPTING PERSONNEL POLICIES AND
PROCEDURES

Ouellette: This is in support of the ordinance so we can adopt changes by resolution in the future.

Passed unanimously

RESOLUTION 208-158 RESOLUTION AUTHORIZING UPDATE FOR
NJDEP/GREEN ACRES RECREATION & OPEN SPACE INVENTORY (ROSI)

Hinkle: I really don't agree with this resolution. There should be more discussion. Draft says it has to be signed by Planning Board Chair. I strongly suggest it should go to the Planning Board. I don't think we should list the Dunes.

Fitzpatrick: I agree. Planning Board should review. We haven't had counsel review. I was told by Green Acres that we would get a package telling us step by step. I think Pennington should be removed because we don't own it and it's already on Green Acres. I'm not sure that some of the properties at West Avenue should be on the list. Whether or not someone went to Green Acres to help prepare this isn't good enough for me.

Hinkle: Other concerns – on map, pumping station would be in that. It's privately owned. Two sewer pipes going across the field. Do we have to get permission if we need to dig? Lots down West Avenue. Those people should be informed so they have the opportunity to buy that land.

Fitzpatrick: I agree. People have an option.

Devinney: We were told that we could put land up for sale but not to a particular buyer. If it's for sale, it's for sale.

Fitzpatrick: One resident bought an L shape property at market value.

Devinney: The goal may be to let residents get first choice, we can't guarantee that.

Hinkle: We have to notify people to get their stuff off of there.

Resident: Will this be up for public discussion?

Ouellette: Yes. We are updated the ROSI list. We own the land at the Dunes. We have the opportunity to protect and preserve this land for future generations. There are towns that spend millions for land on the river. By putting this land on the list, we are protecting it.

Fitzpatrick: Our other ROSI list was prepared by professionals for our review. It was done with Zurbrugg riverfront. Until we accept the Green Acres money for Zurbrugg, it isn't Green Acres. This list does need to be updated. Gateway Park was left out. I would like professionals to review this. I want John's comments and haven't seen him at a meeting since this came up.

Hinkle: (referring to dredge spoils) It only takes a slip of the pen for the state to change things. That's why we have to go about this this way.

Fitzpatrick: I'd like to ask Mr. Kearns about this.

Hinkle: Didn't Edgewater Park have a problem when they had a property on Green Acres, but then needed the land?

Kearns: I have to say that I'm sort of prejudiced against Green Acres. (It involved a park and a traffic jughandle.) Edgewater Park did turn down Green Acres money. I don't like doing things that are that permanent.

Hinkle: We don't know what's going to happen 5-10 years down the road. Is it good to save it? Yes. Should we save all of it?

Templeton: Mr. Denton has had copies of the drafts. Mr. Fenimore and I went to Green Acres last week and discussed the compost facility. We redid some things. It was a relief to have four people in the room who wanted to preserve this tract of land especially the Dunes. We wanted to preserve the compost use and provide flexibility on that. Green Acres thought it best not to list the lots and blocks used in the compost facility. It was excised. Green Acres was pleased with the shared services in that other towns use it. I researched the archives to be sure that we own it. Mr. Germano looked at those documents. Mr. Fenimore has been in this process all the way.

Fitzpatrick: I didn't even know that Mr. Denton reviewed it. We weren't copied.

Templeton: I gave you a draft and Joint Land Use Board had a draft.

Fitzpatrick: I asked Bill Matelewicz and he said that Joint Land Use Board hadn't reviewed it.

Templeton: This is just an amendment on the preexisting open space inventory. Mrs. Seebold outlined this process. Actually, a public hearing wasn't required.

Open to public:

Resident of Pine: We've discussed this for years. I'm opposed to putting the Dunes area into Green Acres. You're going to take a commodity that we could use in the future. We might have to expand the sewer plant. We could put a high school up there. There's a lot of land that is privately owned that could be developed. You could put a deed restriction on it so that it couldn't be used without a referendum.

Templeton: You're giving it to the people of Delanco. It won't have to become 200 homes.

Resident: But you own it.

Templeton: You still own it.

Fitzpatrick: You don't own it. The state controls it.

Resident: Put it on a referendum.

Fitzpatrick: I do like the deed restriction.

Resident of Peachtree: Were you putting the land at Pennington Park on Green Acres? If you wanted additional ball fields, could you?

Kearns: In fairness, it's routine that you can use it for recreation.

Resident of (): Does a deed restriction open it up to eminent domain?

Kearns: If it goes on ROSI to Green Acres, it's difficult to get it off. A deed restriction can be set aside if state or federal government condemns the property. Is it likely to happen, probably not. If you put a deed restriction on it, it's not easy to remove. You have to go to court to show that lifting it is in the public interest.

Fitzpatrick: Federal government – putting this on the ROSI list doesn't stop the Army Corps of Engineers from dumping there.

Kearns: I have no idea.

Templeton: Green Acres doesn't allow dredging on their land. The feds vs. Delanco is one thing, but the feds vs. the state.

Fitzpatrick: (missed this)

Templeton: There is land on Hawk Island that is owned by the state. They are the land owner. There is no land in the Dunes that is owned by the state. Palmyra Cove – county and other agencies recrafted the agreement. The Corps of Engineers wasn't involved. I attended the freeholders meeting to say that it would put more pressure on Delanco. It is clearly written in Green Acres regs as they are now that they

Hinkle: Don't you think we should have it in writing?

Templeton: (Was interrupted) by Fitzpatrick: Feds will tell you that Hawk Island is what it is now due to dredging. They will fight that. They can say that it can't be dredged, but it can be dredged. I understand that there are more reasons for putting it on the ROSI, but for us to tell the public that dredging is one, it's misleading.

Hinkle: Wish Freddie Weller were here. He was told by the Army Corps I don't want someone to say that that Joan Hinkle voted against it and it isn't there any more.

Resident of McCay Way: People around it should have the opportunity to purchase that land. In the future, that may be a source of wind energy for the town. We have to look forward.

Resident of Second Street: We moved here from across the river ten years ago because there was open land, turkeys, deer, and pheasants. I'm an environmental educator. As the years have gone by, the land has gone to housing and other buildings. I don't want to live in a highly congested area. The Dunes have plenty of room for sports fields and boating – quiet and active recreation. It shouldn't be turned into anything that one or two or three people own. It should be owned by the community. So many people come to the river where they can reach it. There isn't much access. There are several feet of sand there for events. Kids can fish and kayak. There aren't many places like that in Delanco. It's a beautiful place.

Hinkle: I agree that it shouldn't be built upon. It shouldn't be on Green Acres either.
Devinney abstained.

Fitzpatrick: no, without professional approval and public input. We aren't offering that for sale. Those properties are in another place. I think it's a jewel. I am for open space. I would hate to have it restricted, but we may need it. We can't put ball fields out there. I took the engineer out there. It isn't good for that. John Fenimore went out as well. He's put discarded plants that he planted there. I can't vote on this at this time.

Hinkle: No

Templeton: Yes

Ouellette: Yes

COMMENTS – PROFESSIONALS - none

COMMENTS – ACTING TOWNSHIP ADMINISTRATOR Ouellette

- cleaning up dollars that are owed to the Township through Joint Land Use approvals
- attended shared service meeting in Maple Shade
- in house – rearranged space for personnel – administrator's office is now used by JLUB secretary as well as Census.

COMMENTS - DEPARTMENT HEADS

1. Police – Lt. Sacalis

- no funding for “over the limit, under arrest” but still participating
- letter from Camden County Prosecutor's Office – electronic fingerprinting within seconds – was \$26,000 a few years ago – grant available through Homeland Security. We were the only one to request – it's first come, first served. They are considering geographic area and there isn't one in this area.

-ID's are set to go.

-(conversation about telephones – free offer) looks like savings of \$1200

2. Zoning and Code Enforcement

Nov. 21 complaints – 6 notices for first warnings – mailed 9 and 9 certified – 9 summonses.

YTD: 26 outstanding violations and 271 are closed.

Hinkle: I was in last court. I can't mention names. Did they follow up?

Goffredo: They did – with wood. Court 7th of Jan. I'll mention to judge that we want that sealed.

Hinkle: Are they starting to fix it? Judge gave them a deadline.

Goffredo: Two fences and two other applications approved.

Situation at post office – asbestos. Called DEP to let them know that dust particles are moving around and they will need to abate that. Whitesell is telling me that the government is responsible for the floor.

-Farmhouse – architect was in to change it to A-3 – assembly use. It will still remain a B use – 50 people or less.

-501 Ash – eyesore – working on that one ...313 Burlington

3. Municipal Clerk

-last official meeting of the year – reorganization Jan. 2 for 7(I think – check the time)

COMMENTS - TOWNSHIP COMMITTEE

Hinkle: Court is better than TV.

-Santa program by police to help families in the triple towns.

-Fern's last meeting – wish you well and thank you for your service

Templeton:

- To Fern, it's been a pleasure for the past few years. We dealt with flooding, redevelopment (twice), two very difficult budget years, a wind storm when you fed public works crew, acting administrator. You have a unique operating style of respect. You make sure the public has the last word. I'd like to pass on thanks to Krista and Christine. One night we left here in the wee hours, and a guy asked for directions. He had missed the last train and Fern drove him home. That's the type of mayor we've had.

Ouellette:

-Thanks for the opportunity to serve as committee person and mayor. The affection I've had for Delanco has only grown.

-I've learned a lot and I thank all the members of committee. There have been differences and that's what makes our committee great. Good things come out of that. It's healthy. None of us is as good as all of us. Thanks to everyone – Janice is a great source of information and speaks as a resident. Staff here is great. Residents get help

here. People look for solutions. Do I have any regrets? Just one... it's never too late to do the right thing. Back when I suggested that we consolidate the administrator and clerk's position, I looked it as a position and it became personal. This lady, Janice, took a lot of abuse over that. She treats everyone with respect.

Devinney:

-It's been a pleasure working with Fern and I've learned a lot from him. It helps us remember who it is we serve here.

Fitzpatrick:

- meeting with Zurbrugg Partnership with county – county interested in senior activities
- Historic Preservation Advisory Board – Sea Scout presentation – 35 people attended
- tree lighting
- meeting for appointments next year.
- senior meeting
- carriage rides with recreation
- congratulations to Fern for his years as mayor and committeeman.

Hinkle:

-Thanks to all of you. Thanks to Bill Kearns for all of you help.

Resident:

-Saturday – Santa around town. Come down and have lunch at the fire house on me.

CONSENT AGENDA ITEMS:

- RESOLUTION 2008-159 RESOLUTION TO CANCEL PROPERTY TAX AMOUNT
- RESOLUTION 2008-160 APPOINTING DEPUTY MAYOR
- RESOLUTION 2008-161 2008 BUDGET TRANSFERS
- RESOLUTION 2008-162 REFUND OF TAX OVERPAYMENT

PAYMENT OF BILLS

ACCOUNT AMOUNT

GENERAL \$ 123,515.89

PAYROLL 71,499.00

TRUST 8,518.44

PUBLIC DEFENDER 150.00

HOUSING TRUST 2,284.51

MUNICIPAL OPEN SPACE 327.50

APPOINTMENT – U.S. CENSUS LIAISON Roseann Lameiras
APPROVAL OF CONSENT AGENDA

MEETING OPEN TO THE PUBLIC

Resident of Peachtree: What does it cost the taxpayers?

Kearns: We lose money on every residential property?

Templeton: No figure has been published.

Fitzpatrick: They pay 60% of the taxes and could calculate it. As to the new 123 units, we won't know until the value is established.

Hinkle: 60% of the assessed value.

Fitzpatrick: I think it's higher than that

Kearns: These properties are deed restricted for 30 years so it automatically decreases the value of that property. Cost in schools, fire, trash collection etc. you don't break even even in a regular residential properties.

Fitzpatrick: Special needs students can cost \$40,000 or more for one student to go to a different school.

Templeton: All of our COAH so far has been new. Developer gets the benefit of greater density – 8 units per acre so town is absorbing zoning that is double the regular zoning regardless of master plan.

Fitzpatrick: Russ Farm wasn't inclusionary. Only one in Newton's Landing Fifteen are in town – 4 at Rancocas Mews, 9 by Europa café and buy down at Iowa Avenue. Rivers Edge was a builders' remedy suit. That's what would have happened if we hadn't passed the plan today.

Resident of Pennington Ct: Where will finished copy of Ordinance for Newton's Landing traffic be available:

Lohr: A few days. It's enforceable as soon as published. Will be published on Friday.

Resident of Union:

-COAH based on 2002 arial photos.

Fitzpatrick: We had 173 reduced to 123.

-Talk about taking existing homes as COAH.

Fitzpatrick:

-We did a buy down – 30 year deed restriction with assistance to renovate. You can apply for that, but your property can only be sold for a certain amount of money and that can't change for 30 years.

Kearns: Market to affordable – townhomes or condos – We'll give you a certain amount of dollars and then they get the deed restriction. That's another strategy. There's an immense state of uncertainty.

Resident gave an example of a young couple who didn't know what they were signing. The couple eventually went after the township and there were allowed to sell it for more.

I left at this point since I had an before work meeting Tuesday.

MEETING CLOSED TO THE PUBLIC

CORRESPONDENCE

DISCUSSION ITEMS:

1. PROPOSAL FOR ACTING ADMINISTRATOR SERVICES
 2. REQUEST TO FORGIVE TAXES ON PROPERTY (Tabled from 12/1/08)
 3. GREEN ACRES GRANT FOR DELAWARE AVE. WATERFRONT PARCELS UPDATE
- ADJOURNMENT

CORRESPONDENCE

Submitted by Maureen Barrett