

The following are my personal notes, not official minutes. For official minutes, see the Delanco Township website or visit the township offices at 770 Coopertown Road.

TOWNSHIP COMMITTEE MEETING – July 19, 2010

ROLL CALL: Hinkle, Jass, Lord, Templeton, Fitzpatrick

Also Present: Mr. Schwab, Acting Twp. Administrator; Mrs. Lohr, Municipal Clerk; Ms. Zimmermann, Deputy Municipal Clerk; Mr. Sacalis, Police Chief; John Fenimore, Public Works

Fitzpatrick: Announcements

1. Aug. 2nd meeting – public discussion on Dunes and Hawk Island regarding Army Corps of Engineers' plan to deposit dredge spoils. Thanks to volunteers who are distributing petitions. Thanks to Mike Templeton for research on ownership issues and keeping us up to date on what is going on regarding the DEP. Meeting will start at 7:00 on Aug. 2
2. Recycling schedules available here – not being mailed out this year.
3. Resignation of Emergency Management Coordinator. Passed unanimously

Res. 2010-82 – appointing Ron Holt as Emergency Management Coordinator

Res. 2010 -83 appointing Maryellen Davidson as Deputy Emergency Management Coordinator

Res. 2010-84 – appointing Mark Schmitt as Deputy Emergency Management Coordinator

All passed unanimously and Ron and Maryellen were sworn in.

ORDINANCE 2010-12 AUTHORIZING AND ADOPTING AMENDMENT TO REDEVELOPMENT PLAN FOR ZURBRUGG MANSION PROPERTIES *2ND Reading by Title Only and Public Hearing

Fitzpatrick: Scott Taylor will give overview

Taylor: Plan and redevelopment process consists of two documents and approval of Joint Land Use Board. Township Committee already approved change in number of units for the agreement. (24 to 27) The plan said it would permit 24, so that established permitted uses of zoning for overlay. Consequently, Joint Land Use Board approved 24 as well. Now the plan has to be amended as well so the JLUB approval can be modified. Process is lengthy due to lengthy set of design standards. Our office prepared the amendment. It was referred to JLUB, which found it consistent with master plan.

HEARING OPEN TO THE PUBLIC – none HEARING CLOSED TO THE PUBLIC

Lohr: For the record, everyone has a copy of memo from JLUB deeming this consistent with the plan.

Templeton: Question for Scott – change 24 to 27 units changes required parking as well. Is all residential parking contained in the property?

Taylor: Yes. Testimony was that four of the spaces were going to be green-banked and added when the need arose. They could be required to be built. Due to the change in the number, applicant will need to address the need for additional parking. Redeveloper may provide testimony substantiating that they can remain green-banked. We wanted it to be open enough if that occurred.

Templeton: For 27 units, is there sufficient parking for that to be contained on-site? It's a concern of residents on Second Street.

Taylor: If the green-banked spaces are used.

Templeton: I understand that there has been a shift in the townhouse units. Will that configuration encroach on planned parking?

Taylor: When modifications in townhouses occur, that will have to go through this process as well – the agreement, the plan, and JLUB. We realize that the impact of parking is a critical issue. I imagine that the developer will maintain the number of parking spaces. If there was any adjustment to that, they would have to come to this body.

Templeton: (missed this)

Taylor: If these three units trigger the use of the green-banked spaces, everyone would still feel strongly that the parking would remain.

Resolution passed unanimously

Templeton: One of the residents talked with you about trash and the pad. Has that been straightened out?

Cherkis: Would have been more desirable if it were where the brick wall was higher. I agreed, but found that it couldn't be there because of the sidewalk. It has been placed where it was on the site plan. I have a comment on your comments to Scott...March 2008, it wasn't definitive that all 24 units would be affordable. Parking was based on that mix. 1 ½ units are required for a market rate apartment which is more than affordable requirement. Developer is aware of the need for parking to be on-site. We plan that all residents, staff, and a small number of guests will be on-site. If we have to pave the four spaces, we will, but we didn't want to pave the green space. Scott asked for parking as well.

Templeton: Resident back there brought it up. The lighting on site...I know you talked to another resident. Are you modifying it?

Cherkis: I will go over there tonight because I haven't seen it at night. I've been told that there might be ways to modify or screen it. They are expensive lights.

Templeton: Lottery was held. How many Delanco residents were chosen?

Fitzpatrick: There were 52 applications... first they choose Burlington, Gloucester, and Camden Counties. First 15 were given a more detailed financial application to complete and appointments to meet with state and Lutheran Services. Those will be reviewed to see if they can even apply. After those 15, maybe you have 8. Then they move down the list. One resident from Delran whose daughter lives in town was number 6. All of the people who had connected with us had the opportunity to apply. It was in the paper as well. Someone had indicated that it's who you know, but that's not the case. Newspaper article re Lutheran Services – accreditation from

Board of Realtors. We probably have one the best management and it's not who you know.

Cherkis: Your ordinance only provides preference to the three counties. We took the extra effort to be sure that Delanco residents were contacted and knew when the lottery was. Someone related to us was number 47.

Fitzpatrick: It will be interesting to see who the first 27 will be. You can continue to apply because people may move.

Cherkis: We hope to get 27 out of the 52. You may want to keep it on the website.

Fitzpatrick: A little flyer will go out with the tax bills. All of the residents will know that they can still apply.

ORDINANCE 2010-9 AMENDING CHAPTER 295-32 GOVERNING "NO PARKING"

*2ND Reading by Title Only and Public Hearing Robbins Lane which is at the end of Magnolia and extends to the river.

HEARING OPEN TO THE PUBLIC - none

Passed unanimously

ORDINANCE 2010-10 CREATING CHAPTER 240 GOVERNING "SIDEWALK AND CURB REPAIR" *2ND Reading by Title Only and Public Hearing

Fitzpatrick: We are cleaning up some of the ordinances. Owners of property are responsible for sidewalk curb repair.

HEARING OPEN TO THE PUBLIC

Resident of Pennington (for Board of Trustees at Newtown's Landing): Do you have the motivation to turn over the sidewalks in good condition? I went to war with Pulte – sidewalks are crumbling and cracked. If you have been responsible for maintenance up to now, shouldn't you turn them over in good condition.

Fitzpatrick: Homeowners have always been responsible. Newton's Landing Homeowners – clause that you are responsible for sidewalk. I will be glad to call a meeting with Pulte. There is no reason why a new development would need sidewalk repair. I will have Doug call a meeting with Pulte to discuss this problem. They will be forced to do it.

Resident: If the township damages the Belgian block, whose responsibility is it?

Fitzpatrick: That's a legal question. I don't know of anyone coming back to this township asking...

Resident: Rest of town has curb. Belgian block is more expensive to replace.

Lohr: Tort claim may be the answer.

Fitzpatrick: I will get back to you. Doug is out of the country for a week.

Resident of Pennington: Clarification on the ordinance – phrase "responsibilities are not limited to" How do we define that?

Fitzpatrick: That's in every legal document that comes across my desk. He's put specifics in here.

Resident: Establishing responsibility for repair and maintenance. Removal of

weeds.... If these are hazardous conditions, I understand. Are we talking about cracks or chips?

Fitzpatrick: Trees have uprooted sidewalks. That would be something the resident would be responsible for. They can go around the tree or cut out the roots and put in new sidewalk. At the other end of Burlington Avenue, there is no sidewalk. When we do repairs that we get a grant, we have that done so it doesn't cost the homeowner money. You live in a new development and he did a terrible job out there...Rivers Edge too. Phil's not going to go out there and look at your sidewalk.

Resident: Responsibilities shall not include maintenance of lighting, bus shelter, bicycle rack, . is that street trees?

Fitzpatrick: We aren't responsible for maintenance of trees. Shade Tree will go out if there is a dangerous situation.

Resident: Pulte is long gone. If my tree dies, who replaces it?

Fitzpatrick: You do

Jass: They may say there are a list of trees that are approved and you can plant it.

Fitzpatrick: We have several residents who do. We had a big company that planted 100 trees.

Hinkle: Unfortunately most of them died.

Resident: Can you give an example?

Fitzpatrick: On Burlington Avenue, trash cans, benches... I think we should continue this ordinance for when Doug is here so your questions can be answered.

Lohr: As long as you announce that it will be continued until Aug. 2

Resident of Burlington: If I have to replace one block, I will trim the roots down.

What about phase 1 and 2 of streetscape?

Fitzpatrick: Doesn't apply.

Resident: But it's my sidewalk. If brick starts coming up, it's cheaper for me to fill in with cement. You made a comment, Kate, that Phil isn't going out to look at sidewalks, but it is part of rental inspections, so I will be affected by this. I have one tree with a little ramp. I don't know if that's acceptable under the ordinance.

Fitzpatrick: People have tried to level it out.

Hinkle: If it is smooth, it's OK.

Fitzpatrick: If you have a lip and have cement there to level it, it's ok.

Resident: My neighbor and I were told by Phil to replace our sidewalk when the streetscape was coming. For the elderly, maybe put in a time period. It can be expensive.

Fitzpatrick: There is always an extension available.

Resident: Phil doesn't do the inspections at my house. I get the guy from Beverly.

Fitzpatrick: Ordinance 2010-10 be continued to the August 2nd meeting for additional comments, clarification, and

Templeton: Glad this is being deferred. Came up at last month's JIF meeting. I will see Mr. Kearns at tomorrow's meeting and will have him get in touch with Doug if there is anything we need to be careful of in there.

HEARING CLOSED TO THE PUBLIC

ORDINANCE 2010-11 AMENDING THE TOWNSHIP CODE AT CHAPTER 224-2
GOVERNING "FEES" FOR PUBLIC RECORDS Ref: No Action to be Taken – Ordinance
to Die on the Table

Fitzpatrick: Appeal is filed so we don't have everything in line.

Lohr: State government has different fees but governor may not sign since he thinks
they are too low.

COMMENTS - DEPARTMENT HEADS

1. Police

-stop signs for intersections Lilac, Edgewater, and Union where they intersect
Second.

2. Municipal Clerk

-John is looking at moving a Hearing impaired sign on Spruce Street to a different
property.

COMMENTS - TOWNSHIP COMMITTEE

Lord:

-slow month – library didn't meet

-Rec. – Basketball court repaved – I drove by at 9 – just hanging out.

Fitzpatrick: About 30 bigger kids there, but no complaints.

Hinkle:

-Boggs Ditch meeting – VA representative was there. Ditch was altered in the 50's.
30 foot easement may be able to be used. Meeting again in August. NJTransit,
Adler's office – all involved.

-Dinner meeting of RiverRoute Advisory – now under the Burlington County Bridge
Commission. – presented 10 year plan for the RiverRoute. Marlene is vice-chair of
that committee.

-Attended concert at Marina – would like to see more people come out and enjoy the
fellowship.

-attended the lottery

Templeton:

-Annual insurance renewal - web-based system – Karen Zimmerman and Mr. Walsh
and I spent two hours inputting into an array of drop-down menus. They told us we
have two weeks to get it in. The department head have to get th

-Dunes – met a couple of times with Mr. Heinold, Mr. Germano, and Mr. Denton.
Gave them copies of documents I found here, in Mt. Holly, and Philadelphia. The
documents show that we do have ownership. Those documents went to DEP in
Trenton. We're optimistic. Please pass the word on the Aug. 2 meeting. Elected
officials or their representatives will attend. Thanks to Ms. Zimmerman for her

minutes of two hours of conversation from a microphone that we forgot to pass around. Those minutes are on the web page. On the Dunes, just so we are all on the same page...the West Avenue plan that Mr. Taylor drew up... I would hope that that doesn't see the light of day again.

Fitzpatrick: It was a storybook and never approved. Just intended to show what was out there and current use. Pictures of activities and trails. I think it would be something that the subcommittee could use. It would be the hope that we could approve more area for passive recreation. It was just a conceptual plan.

Templeton: At the June meeting it was a surprise and sent a message to the state when that was presented first. We had allocated half to a dredge site. It gave the state a mistaken impression. I think they thought it was approved by the committee.

Fitzpatrick: The Township Committee didn't approve that plan.

Jass: There was a subcommittee because Dunes weren't properly addressed in the Master Plan. It was a plan as how we saw that the Dunes could be utilized.

Fitzpatrick: Did the Joint Land Use Board approve it?

Jass: No, parties involved including John Fenimore. Recreation was on the committee.

Templeton: They were on the committee- who attended?

Jass: Fenimore, I don't have my notes. It was the only meeting we had

Templeton: I thought you said before that only 3 or 4 people out of 8. I want us to be pulling on the same piece of rope.

Fitzpatrick: We are

Templeton: We tried to put it on the Green Acres list two years ago, but some people were saying they wanted to sell it.

Jass: You and I at the last meeting... we seemed to have an issue at getting a letter from Beverly...The initial reaction was that we needed to do something. We want to preserve that lot and block.

Fitzpatrick: That subcommittee thought it was doing it justice

Templeton: As a conceptual plan, half of it being allocated as a dredge site doesn't help us.

Jass: The subcommittee did a storyboard as to what we utilize this area for now. Subcommittee isn't finished making a recommendation.

Thanks to Karen for a great job on notes.

Hinkle: Shade Tree sent letter to DEP. Mike, you sent me an email that she thought that all of our questions had been answered.

Fitzpatrick: I didn't get that.

Templeton: I sent it to both...attachment.

Fitzpatrick: I guess that didn't print. We will get our questions answered.

Jass:

-concert on 29th

-Boggs Ditch

- attended lottery – been through the mansion
- RiverRoute Advisory – part of Bridge Commission – renamed – 18 people – accepted resolution for 10 year plan. Delanco has been ahead of the game. We have achieved our goals – Historic Preservation Board – tagging things and presentations and displays. Another rotation on boatyards.
- Dunes subcommittee met
- Subcommittee for ordinances for Master Plan which is a living document – bring your issues to the table

Fitzpatrick:

- attended eighth grade graduation
- Economic Development - insert to tax bills to spread word on applications for the mansion - letter to Whitesell regarding condition of shopping center
- attended concert – petitions were circulated regarding dredging
- met with Emergency Management – new appointees will move forward with paperwork so we have a team in the event of an emergency
- attended lottery
- Shade Tree – Tree City USA
- met with volunteers who will walk the petition door to door .
- attended Freeholders’ Meeting – endorsed their 4 cent open-space. Added a \$250,000 grant to municipalities to improve, purchase, or maintain active or passive open space.
- Bells were removed from the bridge opening – finally stopped the bells. Siren goes off twice. People who live right next to it...
- Burlington Ave – PSE&G – agreed to move two lights to the second phase for free.
- Aug. 16th meeting – DYSA teams won championships. Each child will get a certificate. Would be nice to support them.

CONSENT AGENDA: NEW BUSINESS
 RESOLUTION 2010-81 AUTHORIZING EXTENSION OF THE THIRD QUARTER TAXES
 PURSUANT TO N.J.S.A. 54:4-66.3(d)

PAYMENT OF BILLS
 GENERAL \$774,344.91
 PAYROLL 102,088.06
 TRUST 5,017.50
 DOG TRUST 950.00
 MNCPL OPEN SPACE 8,000.00
 Consent Agenda approved

OLD BUSINESS:

Templeton: Winziner – anything on that with site remediation?

Fitzpatrick: We should ask for a report. I will ask Doug.

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS MEETING

Resident of Burlington: Can the light on Burlington Avenue have a shield? It goes right into my tenant's apartment.

Fitzpatrick: The two we are removing are on your side of the street. I will check to see what we can do.

Resident: Trash can on Walter. Can is broken up and trash scatters every time it is emptied.

Templeton: There are 12 or 13 trash cans in those four blocks. I always thought we could pull a few.

Resident: Handicapped parking spot has been a problem.

Sacalis: We are working on all of them. Some will be moved. Some will be modified.

Resident: Person only uses it if there is no other parking.

Fitzpatrick: We have that too.

Resident: Still no minutes on website after January.

Fitzpatrick: They are all approved.

Representative of Salt and Light: Application to purchase three homes for COAH. I need: 1. Letter from mayor 2. Resolution authorizing application 3 PILOT agreement similar to what you approved for Abundant Springs and the mansion project. I have read them, think they are fair, and would want to be treated the same.

There are three family units for moderate income. We are under contract to purchase those. I sent emails to your solicitors.

Fitzpatrick: Is there any discussion of amount?

Representative: 5% of first 10 years, and then up to (missed it) for the next 10 or 20.

Templeton: Can you provide financial data to support that application?

Representative: Yes.

Fitzpatrick: That would have to be submitted. I would have put together a proposal for rents and expenses and the bottom line. Please send to Mr. Heinold.

Templeton: Is that for rental units?

Representative: (Named the three properties.)

Resident of Maple: Can he add units?

Fitzpatrick: It is already built.

Resident: The developer at Zurbrugg came up with more units. Who benefits from that?

Fitzpatrick: Three seniors and contribute to taxes.

Resident: Maybe to avoid conflict of interest, you shouldn't be able to apply.
Fitzpatrick: We don't qualify.

I left at this point.

CLOSED TO THE PUBLIC

CORRESPONDENCE

DISCUSSION ITEMS:

1. NJDOT GRANTS PROGRAM

2. PROPOSED RESOLUTION FOR ENGINEERING SERVICES – PENNINGTON FARM
PARK – PHASE I

3. REQUEST FOR EASEMENT – PSE&G ADJOURNMENT

Submitted by Maureen Barrett