

The following are my personal notes, not official meeting minutes. For official minutes, please go to the Delanco Municipal Building, 770 Coopertown Rd.

Delanco Township Committee September 17, 2012 started at 7:

Present: Fitzpatrick, Lord, Templeton, Jass, Dillenbeck

Also Present: Mrs. Lohr, Municipal Clerk; Mrs. Martin, Deputy Municipal Clerk; Chief DeSanto, Delanco Police

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS *I was the only member of the public in attendance when the meeting started.*

MEETING CLOSED TO THE PUBLIC

#### COMMENTS - TOWNSHIP COMMITTEE

Dillenbeck: Glad to be here.

Fitzpatrick: Glad to be here too. Foot is healing – doing therapy. Getting out more

Lord:

-Attended Library Board meeting: Doing well with membership drive. Received the money from Burlington County Library. Katrina was able to get a sample package from the state library with electronic readers – Galaxy, Kindle, iPad – so staff is familiar and can train patrons in using electronic resources. Patrons can try the devices as well. Movie night was held Friday; next is Oct. 12. On Oct. 23, meet the author who climbed Mt. Kilimanjaro

-School Board: Looked at capital expenses. Will be selling a bus they don't use.

Lohr: Legal notice is already out.

-Rec met on Thursday. Planning Fall Fest on Oct. 20 – can use help. Will talk with library regarding continuing Movie Night.

Jass: (Missed this – something about the fees for field use.)

Lord: Increase of fees for school use of field, filled them in.

Templeton:

-JIF meetings tomorrow afternoon

-JIF Elected officials training Nov. 28 in W. Deptford, one in Easthampton in March. \$250 reduction in our premium for attending

-Last day to register to vote is mid-October

Jass:

-Sept. 29<sup>th</sup> – Track and Trails Event at West Ave Nature Trails at 10:00

-School has adopted a policy for harassment, intimidation and bullying. Posted at Delanco.com – glad to see that with issues that exist in Delanco and Riverside

- For the record, meeting for contractors Oct. 3 for Field of Dreams; also a meeting for sewerage that date.

-Richard will meet with Rec. regarding open space funds and a five-year plan

DeSanto:

-Sept. 29 Take Back Prescription Day – take old prescriptions to the police department – goes right to DEA to be destroyed

-bicycle survey has been completed and updated as per the master plan. Recommended pathways Burlington, Pennsylvania, and Cooper Street

Templeton: What does that do?

DeSanto: Map of current paths to monitor how each municipality is doing. One is proposed for along the river – Delaware and Rancocas.  
Templeton: That was the Heritage Trail.  
DeSanto: Map they provided us left out Burlington.  
Jass: The process is part of cross-county transportation management.  
Templeton: Coopertown and Creek Road – which side?  
DeSanto: Both directions.  
Fitzpatrick: Dave Denton said there may not be enough room.  
DeSanto: May be tight.  
Fitzpatrick: County road. We looked into that for a grant  
Dillenbeck: You are buying spray sanitizer in case someone spits. That started with JIF funds through Mike. Do we have money to buy it?  
Templeton: Yes.  
DeSanto: We buy as we need it because it expires.  
Templeton: We still have some JIF funds.  
DeSanto: I have some simple ideas. In winter, patrol vehicles don't have scrapers. Nancy is going to put one in every car.  
Dillenbeck: Public Works should have them too.  
Templeton: Do you want them for EMS?  
Dillenbeck: We don't need them since our equipment is inside.  
Jass: Do you want to talk about the vehicle?  
DeSanto: In 2009, the detective's vehicle had transmission issues which were becoming expensive to fix. The Fire Department had a spare Expedition which we bought for \$1. The Fire Department would like it back when we are done with it. It is one of the highest mileage vehicles which we would be rotating out. I have no problem giving it back for \$1.  
Dillenbeck: Fire Department wants it for transportation for students who are in training. We can leave the plow on it.  
DeSanto: We need some time for a vehicle in transition as an unmarked car. The timing should work out.  
Templeton: Whenever that transaction occurs, let us know so that it transfers from our insurance to fire department's insurance.  
Lohr: We should do a resolution.  
Lord: Public bidding necessary?  
Lohr: No, it should be a nominal dollar amount with the VIN number in the resolution.  
Templeton: Early this year or late last year, county was changing over to digital radios...  
DeSanto: Money issue. Chief has complained about radios. Problem with current megahertz. There is a plan to move to a new system, but they are in the study stages of what they are going to need.  
Templeton: Last time we heard, it was to occur at the end of this year.  
Dillenbeck: They are going to take the band and cut it in half. It will be a complete change in radios. We don't have the money and the county doesn't .  
DeSanto: Portable radio is \$1500.  
Jass: Oct. 4 hosting Police Academy here on six consecutive Thursdays.  
DeSanto: School provided a bus for a field trip for the seniors for one day.

PAYMENT OF BILLS  
ACCOUNT AMOUNT  
GENERAL \$25,089.51

PAYROLL 27,470.77  
DOG TRUST 42.00  
TRUST 839.75  
MCPL OPEN SPACE 4,284.00  
RECREATION DEVEL 1,875.00  
Motion to pay passed unanimously

CORRESPONDENCE – none

#### DISCUSSION ITEMS:

##### 1. PROPOSED SOLAR ENERGY SYSTEMS ORDINANCE

Fitzpatrick: I thought we were going to ask Michelle to come in and go over this at a public meeting.

Templeton: I haven't gotten the final update from DVRPC. It was sent for legal review a year ago. I've tried to contact the coordinator of that group. I distributed a copy of a sample ordinance to the Planning Board then. Would be nice to have Michelle come in.

Jass: Doesn't address portable solar units which will be coming out. You will be able to plug them in in the front of your home. Maybe Shade Tree should get a copy because there may be some trees that will be casting shadows. There may be some issues.

Fitzpatrick: Another issue is the sun. When I come down Creek or Coopertown Road, the way the sun hits some of these panels, they are blinding. There are a lot of issues. Shade Tree should definitely get a copy. I wonder about the panels PSE&G put up and how effective are they when they are a hazard they are so blinding.

Dillenbeck: Panels will only last 20 years. You are never going to get your money out of it.

Jass: Purpose of the ordinance is so we do have control. If someone wants to put up a solar field, we are in jeopardy without something on the books.

Fitzpatrick: Shade Tree and DVRPC are important. We need a strong ordinance. I'd like Michelle to come in.

Jass: Yes, this says if there is a solar field, there should be a voltage warning sign. Janice, please make sure Shade Tree gets this and see if they have enough time to review this by Oct. 1.

Lohr: I can scan it and email it. We will have Michelle in on the first and have Shade Tree. Main difference between this and the one from DVRCP, this is more sensitive to tree removal. The other one wasn't very neighbor friendly.

(Mr. Messina, Shade Tree walked into the meeting. He was apprised of the draft of the ordinance and told that our planner will be there. A representative from the Shade Tree Commission was invited to attend the Oct. 1 meeting. He was given a copy of the proposed ordinance.)

##### 2. EMPLOYEE YEARS OF SERVICE RECOGNITION PROGRAM

Jass: Bill wasn't here for this. I had brought to the table some recognition for employees who have been here for a long time.

Fitzpatrick: Did you get a copy of the pin?

Dillenbeck: We do a pin in the Fire Department and they wear it proudly.

Fitzpatrick: I've never seen anyone wear that pin and I've gone to many meetings. I think people don't wear those pins. Women wear pins to go with their suits.

Templeton: Suggestion that was passed on to me was to have employees recognized at Reorganization in January, invite them when the room is filled – townspeople and press, present a certificate. That suggestion comes from my wife. It puts a face with the name for the whole community.

Lohr: We will do five-year increments at Reorg. We'll do photos, put names on agenda, and they will get a lot of recognition.

Motion passed unanimously

### 3. RENTAL CODE UPDATE (FAMILY MEMBER OCCUPYING UNIT)

Lohr: The front office has been dealing property owners who are allowing family members to stay in their rental units. They feel they shouldn't have to pay \$100 registration. There is no provision for that exemption in the code. We do have the senior citizen waiver (If seniors are qualified for tax freeze, they don't pay.) We've asked if they are collecting rent. Some are; some aren't. Would you look to amend the code to allow units being temporarily used by family members to be waived?

Dillenbeck: Economy is tough. They are moving in out of desperation. I'm for it if it's a family member and they aren't collecting rent.

Lohr: It's a temporary thing. The property is not being removed from the rental roll.

Fitzpatrick: My concern is that they are still inspected. That is a safety issue. I see myself where they have too many people in units they are renting to family.

Lohr: If we are going to waive the fee, and still inspect, then the rest of town is bearing the burden of \$55/unit.

Fitzpatrick: How do you prove it's a family member?

Lohr: We can send Phil out to verify.

Jass: How are they going to show it – a birth certificate?

Fitzpatrick: I think we should just charge it for safety. It's too much book work for our staff.

Jass: I can empathize with the situation, but it is a nominal charge. It puts a burden on the administrative staff.

Lohr: It's a unit they are providing someone to live in, but it should be inspected.

Jass: I think we should hold fast.

Fitzpatrick: I don't know how they could have been waived. Someone told me that they weren't paying because it was a family member living there.

Lohr: We had an employee who took a lot of liberty. Our staff has caught a lot of people who need to be in compliance. We now have a good, clean, enforced program. It's about 5% of our rental units that have family members.

Jass: Committee has made the decision to keep it as it is.

### 4. FEE CHANGES (VITAL STATISTICS)

Lohr: State says we can charge a maximum of \$25 for marriage and death certificates. We charge \$10 for the first. In a clerk's survey, Delanco charges the least. Most towns charge \$25 for the first. When my son was married, they charged \$25 per certified copy. If you would consider amending it, the new fee could be that the first would cost \$25 because that is where all the work is. They have to prove who they are. We verify the license. Any subsequent copies could stay at \$5. The state registrar charges \$25.

Lord: How long do they take?

Lohr: Marriage license takes about fifteen minutes; death certificates take much longer – thirty minutes because of all of the verifications needed.

Motion to prepare an ordinance to adjust the fees passed.

Lord: Voted no, it's an additional tax. Just because we can charge \$25, it doesn't mean that we should. If it really costs \$25, that's different.

### 5. HOA – BASINS

Jass: Still some issues at River Winds and there will be with Creekside. Rivers Edge has

fees to maintain the basins. Same will apply to Delanco Station. The two small communities have issues – no HOA at River Winds. Committee received input from solicitor and engineer.

Fitzpatrick: I thought Richard was going to look into the cost of maintaining it and then we would bill them. I feel the township couldn't take on basins. We don't have the equipment or people to take care of them.

Jass: Other aspect, an HOA has a right to dissolve if 65% agrees. Then it becomes the responsibility of the township. We would have to outsource that because we don't have the capability.

Fitzpatrick: Whether we take it on or not, they can still dissolve it. I don't think the township should take on the responsibility of basins.

Jass: I don't either. This is a workshop and we are discussing it.

Lord: I'm not in favor of taking it over. There are a lot of costs involved. If you maintain for one HOA, you will be maintaining it for all. If HOA's can dissolve, why wouldn't they let them dissolve? We don't even own the property

Jass: That's what happens when we have small communities, so when we sit on JLUB, we need to keep that in mind.

Fitzpatrick: (missed this)

Templeton: Several years ago, there was a discussion about basins in general, that eventually in the future, it would all be taken over by municipalities or county-wide storm management. I haven't heard anything since then. Regarding what we are dealing with now, I don't know how much legal authority we would have. Having these really small communities seems to be set up for failure. Townships should be able to have the authority to merge the smaller ones to larger ones with cost sharing for the HOA's. As Thom says, they are facilities on private property. With insurances, it would seem to be a way to go in that direction. This was something that developers and regulations have sold us and as it matures, it isn't sustainable.

Jass: We are all in agreement. This is on the record for the next developer who comes in.

## 6. SIDEWALK MAINTENANCE RESPONSIBILITY

Jass; Ordinance drafts and letter in June 2010 - Township Committee at that time had a lot of questions. Subcommittee was to be formed.

Fitzpatrick: Doug suggested that it be let die until Newtons Landing sidewalks were settled. He suggested it be sent to Shade Tree.

Jass: That wasn't done.

Fitzpatrick: Shade Tree needs to review and give us recommendations. We need to be sure that Newtons Landing's problems are resolved.

Jass: They are and the builder is out of the picture.

Fitzpatrick: I think there is still a maintenance bond out there.

Lohr: Just for the activity center and basin.

Fitzpatrick: I know a resident there who has a sidewalk issue now.

Jass: There are still sidewalk issues there. The ordinance needs to be reviewed. Owners should be responsible for their sidewalks.

Fitzpatrick: What are we sending?

Jass: Sidewalk and curb repair are in there. Residents wouldn't need to be concerned about curbing since we do that when we do streets.

Fitzpatrick: It depends on the grant.

Jass: Handicapped ones are part of the grant. I'm asking Committee to read through the drafts for positive and negative aspects. Kate and Mike, you had made a list of your concerns.

Lohr: Doug's last letter was Sept 2010. It said there would be another ordinance with substantial changes. I don't believe that was submitted to us. I only have 2010-10. It was continued many times, but there were so many concerns and changes, that it was not adopted. Committee would need to reach out to the solicitor to prepare an ordinance with changes.

Templeton: Something that came up that isn't in Doug's letter. With the situation with Shade Tree,

Fitzpatrick: It's in there.

Templeton: If Shade Tree's tree ruptures the sidewalk, the owner would be responsible. People wouldn't want to take that risk. They wouldn't want to have trees. Something needs to be worked out. We want trees on the streets, but we don't want to put an undue burden on homeowners.

Jass: They had talked about a barrier when the sidewalk was replaced. That would reduce where the tree protrudes. That was discussed at Shade Tree.

Templeton: The trees are gone, but the damage is done.

Fitzpatrick: Or the trees are there, but the damage is done.

Lohr: It's been a policy that it is the homeowners' responsibility. If tree work is needed, Shade Tree or Public Works would take care of that, and then the homeowner could go ahead.

Jass: For refinance or insurance, inspector won't give a policy or mortgage. Is that the responsibility of township or homeowner?

Lohr: In all my 27 years, the township has never rushed out to fix sidewalks for homeowners because they were getting a mortgage. Except for grants, homeowners have taken care of the sidewalks. The books are silent. Legally, are we responsible or not?

Jass: My point was the HOA from Newtons Landing, this community will be addressing this.

Lohr: Our code is silent.

Jass: We are going to have developments...

Fitzpatrick: We were going to authorize Janice to ask Doug to prepare the ordinance and then we would review it.

Lohr: Let's have the discussion while he is here instead of having him draft an ordinance on a two-year-old letter.

Dillenbeck: When I bought my house, my sidewalk was cracked. I was told that a fire truck had to come up on the sidewalk for a fire across the street. I had to replace it for insurance. If it is caused by a tree, it is our responsibility. Some of them have been replaced where the trees are, and they are already raised again.

Lohr: Maybe we can get info from other towns and get what they have on the books.

Jass: I do see a second version in my packet from Richard. Committee is asked to make recommendations.

Templeton: Meeting minutes from Aug. 2010 include my comment - I had spoken with Mr. Kearns in a matter before JIF. In most cases, sidewalk is part of right of way. Most of the time, they shift that responsibility to homeowners.

## 7. FIELD OF DREAMS PHASE I UPDATE

-John called and said it was a disaster. Scott went out. They came back and cleaned up some areas. Harry indicated that irrigation valve was to be installed today. Will call John in the morning. I have to make sure it is ready to move on Oct. 1

Jass: Went out as well. It wasn't a disaster. They used more seed and will get more rye grass than was originally planned. It will give us a good basis.

## 8. FIELD OF DREAMS PHASE II UPDATE (& SECURITY CAMERAS)

Jass: Police suggestion. Scott is reviewing Denton's plan for the building. Suggestion to be proactive and have security cameras due to the way the building is situated. We will have motion detectors as well.

DeSanto: Biggest concern is the location of the bathrooms – not towards the road. Idea to put a camera there. Getting ideas. PSE&G didn't want a portable camera on their pole. Looking into best night vision through hard-wired camera with remote viewing. Asked Scott Taylor to provide actual plans so I can use them with consultants from security cameras.

Templeton: Would turning the building help?

DeSanto: We would recommend that bathrooms be on the backside.

Fitzpatrick: Security camera didn't come up, but it's a good issue. The reason the building was facing the way it was was for convenience of the users of concessions.

DeSanto: Convenience and security are two separate issues.

Fitzpatrick: I thought there were going to be drive-throughs.

DeSanto: We will be doing that. This was in addition.

Fitzpatrick: A camera should be put in the spec for every new project. We have too much damage to our fields and property. I don't think you should move the building around.

Jass: If we turned the building, they would lose part of the field. Originally, the easement that went to DaSilva's -we were hoping the county would buy that, but it hasn't occurred.

Fitzpatrick: It's not going to happen.

Templeton: When Scott orients the doorways to the building, they can be visible from the driveway.

Township Committee was in consensus to include a security camera.

## 9. SEAWALL PROJECT UPDATE/STATUS

Jass: Sept 6 letter from Denton regarding letter to waterfront property owners.

Fitzpatrick: Well-addressed.

Templeton: Let it fly.

Jass: We were going to look into cost, inform homeowner, and form a subcommittee.

Templeton: Letter is an introduction to the problem before us. The initial letter gets everyone online so it isn't a surprise. It is going to affect properties.

Jass: It's a huge undertaking. Perhaps it is in our best interest to get a marine engineer to look at this – currents, tides, winter. It's a huge investment.

Templeton: It's different on every parcel.

Jass: That's why I think we need a survey from a marine engineer.

Templeton: That's why the letter... one homeowner has already built up his bulkhead. If the letter goes out, you will get some feedback and can build from there.

Jass: Would it be advantageous to have our solicitor review the letter? I'm not familiar with the language.

Templeton: So we aren't implying anything.

Fitzpatrick: My concern is the financial because we don't have the funds to even begin this project. Some conversations should take place so residents know that we have it on our agenda. Until we have funds, Doug could look at the letter. The Township Committee isn't in a position to commit to this project.

Jass: We will want to let residents know that we have a plan in place – we will need to have a 5 -10- year plan. If the federal government is looking for shovel-ready, we want to have a plan in place. Doug will review to be sure intent is clear.

## 10. POLICE CAR – *see pg. 2*

11. BOGGS DITCH – UPDATE -none

12. LIGHT RAIL LINE QUIET ZONE

Fitzpatrick: Didn't hear anything further from John Runyan. Sent the same email again – no reply. I will send him an email every week.

Jass: Who spearheaded this committee?

Fitzpatrick: Edgewater Park, Burlington, Delanco, Riverside,

Jass: Do you want to reach out to all of those communities to see if they heard anything?

Fitzpatrick: I doubt they have. I will continue to hound John Runyan.

13. HICKORY and Oakford– LIGHTS

Jass: Two residents came to meet the mayor and deputy mayor. Concern was that it was dark there and children sit there and cars come through quickly. Asked Jesse to go out.

Light on Babe Ruth side is quite high. There are tree branches over a light and obstructs.

DeSanto: Talked with John.

Jass: If there are still issues, there is a pole that could have a light.

14. COMMITTEE LIAISON PROCEDURES

Dillenbeck: We attend certain committee meetings and bring back info to discuss here. For instance, we were discussing an ordinance for Shade Tree and Mark came in. My idea would be for reps from the other committees be available at one of the two township committees for the public.

Fitzpatrick: Would be good if Township Committee members would provide other members with minutes from those meetings. I would like to see the minutes of the other meetings. For one reason is that if anything is coming up, I'm aware of it. I think it would be nice if more people came out to our meetings.

Jass: What did you do in the past before the liaisons?

Fitzpatrick: Before the five man committee, they didn't go.

Dillenbeck: When we started tonight, they only one here was Mrs. Barrett. It would be nice if more people would attend. They might if there were reps from other committees.

Fitzpatrick: Would like to see Fire/ EMS. I'd like to see the others so I don't miss anything.

Lord: I reported on events at the library which are posted on their calendar and also on the Municipal Building.

Jass: I think that's terrific to have representatives attend. We want to be more informed. Would Township Committee like to move this forward as of the first of the year.

Lord: You are saying that the Fire Commissioners have to come. What if they say no?

Fitzpatrick: Best practices is that they don't have to come, but they could provide us with minutes.

Dillenbeck: It would be nice if someone from the public showed up, someone would be here to answer.

Lord: I don't want to waste their time. If someone comes from Shade Tree for four months, and no one has a question.

Jass: At the same time, we are five and we have more than one meeting we attend. They have membership and can alternate. It gives people an opportunity to find out what is going on in town.

Fitzpatrick: It would be nice to invite them to attend, but ask for minutes. How updated are Rec's? Can't we require them from Commissions?

Lohr: When approved, ask for a copy.

Jass: Do you want to still keep the liaisons?

Templeton: Liaisons structure is good – gives groups one person who is theirs on the Committee. As far as mandatory attendance, I don't think it's a good idea.

Fitzpatrick: Invite them.

Jass: Request for minutes.

Fitzpatrick: Just provide the minutes to liaisons. Invite them to come.

Jass: Recommending we implement as of first of the year.

Lohr: Start prepping your liaisons for new procedure.

Jass: Janice will draft a letter.

Fitzpatrick: You can give it to the liaison to deliver.

REOPENED to the public:

Resident of Burlington: Bill, I like your idea. Any committee that receives tax dollars should submit minutes to the township. There should be a time limit. Sewerage minutes could be three months behind. Rec is the worst. It would be great to have unofficial minutes.

Jass: We aren't allowed to do that.

Resident: If not for a member of the community who sends out unofficial minutes, a lot of people wouldn't know what is going on in town. Please listen to Aug meeting regarding sidewalks, Mike's point was that if you put that in place, 3/4 of the town is going to be required to do something with their sidewalks. Kate, you were the mayor at the time. I asked about what would happen on Burlington Avenue streetscape. I would have to replace those bricks. At that point it was tabled.

-Streetlight – Burlington and Walter – light has been on 24 hours a day for three weeks.

Corner of Burlington and Walter.

DeSanto: I will check that out.

Resident: Mentioned to mayor and Mike. I'd like to personally thank Janice, Kitty and Phil. I'm in the process of putting together some plans for a home. Everyone has gone out of their way to help me and answer my questions. It's been wonderful.

Fitzpatrick: That's nice to hear.

Jass: Everyone here tries to help our residents. Thank you for recognizing our employees.

Resident of Colgate : Youth perspective on trees. Friends of a family was financially burdened by replacing sidewalk. Maybe you could remove and replace the tree. Don't you get free trees?

Fitzpatrick: Not always.

Dillenbeck: You make a lot of sense. Older trees were surface rooted. Newer varieties don't lift the sidewalk.

Resident: Fixing the sidewalk killed that tree anyway.

Dillenbeck: There are no trees in Willingboro between the sidewalks and the curb. They have never had a problem.

Jass: Something to take into consideration.

Fitzpatrick: Should be part of the ordinance. Happened to us on Hickory. Township used to lift sidewalk and cut roots, but that killed the tree so they don't do that anymore. They cut the tree down and replaced it with the same kind of tree so it happened again.

Jass: Suggest to Shade Tree.

Dillenbeck: If there was a representative from Shade Tree here, the voice of the public means a lot. On the last Wednesday, I have three meetings I have to attend at the same time.

Resident of McCay Way: Read ordinance for trees and sidewalks on township website. My conclusion is that if you break it, you fix it. If you are the township that owns the tree that breaks it, the township is responsible.

Fitzpatrick: There is no ordinance that was adopted.

Resident: It's on the website

Lohr: Should say not adopted.

Resident: There is a section of the code for sidewalk.

Fitzpatrick: Under code enforcement.

Resident: That states that whoever breaks it, fixes it.

Lohr: We had a policy that you couldn't have garbage disposals, but it wasn't on the books.  
It is now.

Jass: It is in the code.

Fitzpatrick: I will look at my code.

Dillenbeck: Is that the part with the snow removal.

Resident: Might be.

Jass: We will look into that.

ADJOURNMENT

*Submitted by Maureen Barrett*