

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 April 1, 2013

Present: Fitzpatrick, Ciancio, Templeton, Jass, Dillenbeck

Also Present: Mrs. Lohr, Municipal Clerk; Mrs. Martin, Deputy Municipal Clerk; Mr. Noll, Township Engineer; Mr. Heinold, Township Solicitor; Chief Desanto, Delanco Police

ORDINANCE 2013-4 ORDINANCE-SPECIAL EMERGENCY 2ND READING BY TITLE ONLY AND PUBLIC HEARING

HEARING OPEN TO THE PUBLIC – no comments

HEARING CLOSED

Passed unanimously

**\*\*ARBOR DAY PROCLAMATION\*\*** was read.

COMMENTS - PROFESSIONALS COMMENTS - DEPARTMENT HEADS

Engineer- Noll:

-Field phase 2 bid requests were advertised.

-Hickory St. drains – low quote was above the budgeted amount, but I think that what is needed can be accomplished with what was budgeted.

-Grants – DOT commissioners meeting this week – should hear in 2-3 weeks.

-Tax Map maintenance – coordinated with tax assessor and will submit a proposal

-Boggs Ditch – waiting for DEP to make determination

-Working with Hovnanian regarding alternate routes for sidewalk on Coopertown Rd. Doug Heinold is drafting letters to three homeowners to inquire in their interest in an easement. Response requested by May 15.

Jass: Just going behind the easement or the front?

Noll: The front.

Heinold:

-Dunes litigation – summary judgment brief was filed and is expected to be returned first week in May. If needed, last week of June for trial.

Fitzpatrick: Great job on that motion.

1. Police

-April 27 from 10-2 -Take back prescription day at police department – dumped into box with no questions asked. Sponsored twice a year.

-Training opportunity regarding crossing guards – Train the Trainer through Rutgers. One of our guards would be sent so they could train future guards.

-Public Works cameras have been tweaked for better views.

-Applied for bullet proof vest grant

2. Municipal Clerk

- Dunes clean up this Saturday at Dunes at 9:00

-Attended CBG meeting and heard about a delay – due to the sequester, Mr. Noll?  
Noll: Heard something like that. A rumor that they would be cut 10% due to sequester.

#### COMMENTS - TOWNSHIP COMMITTEE

Jass:

-Attended Easter egg hunt – three age groups – lots of preparation. Children had a wonderful time.

-Attended 100<sup>th</sup> birthday party at Zurbrugg – resident was recognized by the president down to Township Committee – photo of Mr. and Mrs. Zurbrugg was there for that day. Was presented during Historic Board meeting. We need a loan agreement.

Fitzpatrick: Doug, can you find some kind of agreement?

Heinold: Sure

Jass: Attended School Board budget meeting – only 3 people in attendance.

Increase in school budget – average home \$238,000 – increase \$91.63 this year.

-question for the chief on the bridge –scheduled completion date of 22<sup>nd</sup> of April still valid?

Desanto: They say they are ahead of schedule

Fitzpatrick: Doesn't look like it. Usually open on demand from April 1 through Nov. 1

Jass: They had four inspectors out there today.

Fitzpatrick: Had a huge truck to fill vehicles and gas cans.

Dillenbeck:

-April 27 town-wide yard sale

-Fire/EMS – in addition to hoagies - hot dogs, potato chips and soda by request

Templeton:

-Joint Insurance Fund – preliminary property review regarding large assets – was sent in last week. OSHA provided training to Marie and Nancy two weeks ago.

-Attended Pennington Park clean-up – 60 people. It would be nice if the Dunes had that number of people on Saturday.

-Continued work helping Mr. Heinold

Ciancio:

-Attended mandatory training class – NJ Planning and Zoning. Satisfies requirements for participants of zoning boards

-Shade Tree met March 27<sup>th</sup>. Report is in process of being developed. Commission reviewed requests for trimming and removal. Looking at ordinance fixing responsibility for fixing sidewalks when they are impacted.

Fitzpatrick:

-DYSA April 13<sup>th</sup> is opening day

-Attended Fire Commissioners meeting – you can get an absentee ballot from the County Clerk's Office for next year. Voting is in February.

- Hydroflushing July 29<sup>th</sup> – Aug 3 - residents will be informed using township email list.
- Field of Dreams – Phase I – Scott sent out quote for fertilization. Phase 2 bidding should be in by April 10.
- NJ is offering tree seedlings for sale.
- Liaison to a committee should channel all requests for information from a board to the appropriate liaison.

#### MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

Resident of Harlow: Portrait at Zurbrugg. Is there a charge for Mr. Heinhold's services?

Heinold: I'll do it for free to avoid the issue.

Resident: When the Township Committee voted, everyone was in favor except for one so it is in the minutes.

Resident of Burlington Ave: I don't want to be here tonight. I sat on that side of the table for many years. I didn't think I would be on this side. I don't think the Township Committee is small business friendly. I own a real estate agency and a florist. Bill is the only one who had a business. There are taxes, a CO, inspections, fire inspections, etc. In the flower shop, I've tried to obey all the rules. I'm disappointed that you allow people to come in and set up on street corners with flowers. A gentleman from Delran pays no agriculture license, sales tax, property tax or a business license. He doesn't do any of that. For fifteen years, I've been to land use board and the building inspector. I called him, but he won't come on a holiday. In the past, the gentleman opened up on Thursdays; now he opens on Friday which is Good Friday because he knows you are closed. We've sent the police out, but I didn't know that that gentleman is a former police officer and has friends on our force. Why doesn't someone besides Phil have the power to close him down? They opened Tina's gas station one year. He says he's a vet. He says he's a huckster and doesn't need anything. If you don't support your small businesses, there won't be any. When I was a child, there were 31 businesses here. I have a textbook case of a discrimination lawsuit against this town. Where do we go from here? You give tax abatements to Deitz and Watson. Our friends at the church and the Columns get good stuff from you. If my business doesn't improve, I can see some townhouses where the flower shop is.

Fitzpatrick: I called Jesse and he sent an officer over there and the seller had what he needs.

Desanto: Business owner says he knew he was there.

Resident: The business is closed.

Dillenbeck: It needs to be reinspected.

Resident: I'm not asking for a favor. I don't mind legal competition.

Fitzpatrick: We're going to look into it.

Desanto: Owner is dropping off documentation.

Owner of shop: I'm also a small business owner. I'm still open. All of my licenses are valid. I also pay sale and property tax. My kids go to school in Delanco. He has been selling flowers for 15-17 years. To respect this policeman, I said he can use the

sidewalk and put his flowers in the store. My father had knee surgery so my hours have changed.

Fitzpatrick: Did you renew your business license?

Resident: Yes, but they didn't send me a certificate yet. I do a very legal business. The small business isn't enough so I work somewhere else too. I'm only waiting for Delanco certificate. Everything else is there. You can send the officer out.

Fitzpatrick: Do you have an agricultural license?

Resident: No. I didn't allow him to sell in my store.

Fitzpatrick: We need to review the licenses.

Heinold: There are some special provisions for veterans.

Resident: The township isn't fair to me – Phil Goffedo. The contractor broke my (missed this – driveway apron?). Township says it's going to reimburse. Mr. Lord promised me that you would look into this. Because I'm a minority, I'll be doing the same thing again.

Heinold: Wasn't brought to the attention of the contractor during the time he was contractor. It wasn't the township that has responsibility. It was the contractor.

Resident: I brought it to the attention of the township the same year – a week later. Because I am a minority, no one wants to do anything. Mr. Lord saw all of my copies. I have all of the emails.

Fitzpatrick: Can you supply those copies to us again so we can look into it?

Heinold: Issue is that resident did bring it to the attention of the township while the project was in progress. If township elects to pay for repair.

Fitzpatrick: How much was the repair?

Resident: \$1500

Fitzpatrick: Do you still have a copy of that?

Resident: Yes. We'll have to see what we can do.

Templeton: Part of that is that this was 4-5 years ago when streetscape was done. There was a question with county regarding whether drive was already there. They put in a curb instead of an apron. I remember that you came to planning board. County had trouble finding the driveway permit. I appreciate you coming here tonight. Sometimes things get passed down the line. We treat everyone the same. It doesn't matter who you are. That's why we stand up and (Pledged to the flag.) I apologize for this delay.

Resident: Because they broke the apron, Goffredo said I couldn't have the apron built and I had to get a permit from Burlington County.

Fitzpatrick: It's not our street.

Resident: The contractor broke it, but I needed to get the permit.

Fitzpatrick: Please supply your documents and your licenses that allow you to do what you have the store open for.

Resident: Is it because this business owner complains?

Fitzpatrick: We have to be sure that you have the licenses.

Resident: I'm respecting his veteran status.

Fitzpatrick: I don't know that I could allow someone to sell flowers in front of my house. There are legalities.

Heinold: Veterans have certain status, but they need to meet certain requirements.

Resident: He's been doing that for 17 years.

Templeton: We have to verify that the provisions of the huckster's license allow what he is doing.

Desanto: If they are using a street corner, yes.

Heinhold: They always interact with the municipalities.

Fitzpatrick: We'll look into it

Templeton: Thank you for being here tonight.

Resident of Burlington: An agricultural license isn't easy to get. I have to list every grower and the state inspects those farms to be sure the plants aren't diseased.

Resident of Second Street:

-Boat trailer on the street at Fennimore and John for six weeks. Behind it there is a stump grinder. That's what's wrong with the town. Nobody sees anything.

Resident of Union:

-Noticed that scout trail markers were down. All of the emblems are off. Though they were scrapping metals. Thought another scout is taking these for their own project. Reached out to council to see if any of the boys in other towns turn up with metal plaques with boy scout law on them.

Fitzpatrick: Could be taking it off. John finally found the signs in the river.

Resident: If there were after the metal, there is a lot of metal all round there. Wasn't cheap to have them made.

Resident of Harlow(again): What's a huckster license?

Heinold: Statutory provision that allows veterans to bypass some of the normal requirements. Tend to sell outside. By meeting some minimum requirements, they are able to sell

Resident: Is there a one-time fee?

Heinold: I don't know. The idea is to cut their costs. Most recent I've seen is on Route 9 by the shore on an empty lot.

Resident: I'm in favor of helping citizens and veterans. This person doesn't live here, but Mrs. Rossi does. What's to prevent another veteran from setting up a cart outside 7 Eleven? If we don't take care of this as a community, it could snowball. It's nice that we have businesses in our town. It's a two way street.

Resident of Richards: Who is responsible for property maintenance?

Fitzpatrick: Phil

Resident: Does he ride with blinders?

Fitzpatrick: He's only working a day and a half.

Resident: What's the good of an ordinance if you don't enforce it?

Fitzpatrick: We have an anonymous number.

Resident: I see the junk in the yards.

Fitzpatrick: We are reviewing property maintenance. Phil is going to meet with Scott Taylor and Doug so we can deal with someone in terms of their front yards. We're looking into vacant properties as well.

Resident of Union: Yard sale – Bill mentioned hot dogs, did he mean hoagies?

Dillenbeck: yes

Resident of Laurel: Tax increase this year. (Discussed many national issues for many minutes. Please request the CD of the meeting to hear all of it. Templeton asked the resident to state his question.) Decrease ordinances on the books to ensure that local businesses thrive so that the taxes remain low.

Fitzpatrick: Our budget discussion will be held at a future meeting.

Resident: Nothing should be cut. (Continued to speak of national issues – country is being led by a fascist dictator. Local issues as well – people of Delanco are dumb and docile...)

Fitzpatrick: Municipality can't reach out and change the federal government. Contact your congressman and senators.

Resident: They are all crooks and liars and thieves.

Fitzpatrick: This committee is hard-working.

Dillenbeck: You are going off on a tangent. Opening a business in any town is difficult because there are rules and regulations to protect the public.

Resident: I can't keep a goat in my yard. I don't feel protected.

Resident began to ask each Committee member about his/her beliefs regarding the United States economy. He was told that the business of the Township Committee is local.

Resident of Colgate: Regarding signs that were vandalized at the Dunes. Rec is meeting to discuss facility maintenance. Two or three motion-sensor cameras are being proposed for various locations.

Dillenbeck: What if they get stolen?

Resident: All of the money that was spent on the park justifies the cost of the cameras.

Dillenbeck: I'm a firm believer in cameras. We've put them up in Public Works.

Resident: Letting Township Committee know. We have spoken to the police department.

**MEETING CLOSED TO THE PUBLIC**

\*\*\*\*\*

**CONSENT AGENDA:**

**ORDINANCE 2013-5 A BOND ORDINANCE OF THE TOWNSHIP OF DELANCO, AUTHORIZING THE EXPENDITURE OF FUNDS IN CONNECTION WITH THE TOWNSHIP'S OBLIGATION TO PARTIALLY FUND THE DEBT SERVICE OBLIGATION OF THE DELANCO SEWERAGE AUTHORITY ATTRIBUTABLE TO THE CONSTRUCTION OF THE COOPERTOWN ROAD SEWER COLLECTION LINE; APPROPRIATING THE SUM OF \$550,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$522,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATIONS; AND MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.**

1ST READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR APRIL 15, 2013, 7:30PM

RESOLUTION 2013-63 RESOLUTION CERTIFYING RECEIPT OF AUDIT

RESOLUTION 2013-64 SPECIAL EMERGENCY RESOLUTION PER N.J.S.A. 4A:4-53 FOR A FIVE YEAR PAYMENT OF A REVALUATION PROGRAM

PAYMENT OF BILLS

ACCOUNT AMOUNT

GENERAL \$ 575,203.89 PAYROLL 77,637.24 DOG TRUST 10.00TRUST 6,039.18

MCPL OPEN SPACE 69.11

APPROVAL OF MINUTES – 3/4/2013 & 3/18/2013

APPROVAL OF 2013 BUSINESS LICENSES 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28 & 29

APPROVAL OF CONSENT AGENDA

\*\*\*\*\*

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS - none

MEETING CLOSED TO THE PUBLIC

CORRESPONDENCE – none

DISCUSSION ITEMS:

CERTIFICATE OF HABITABILITY ORDINANCE – PROPOSED AMENDMENT(SECTION F)

Lohr: Inspector brought this up. We’re experiencing a gap between inspection and sale. When property is up for sale, owner has COH certificate, inspection is done, and sale falls through. Might be a year or more until home has another buyer. Inspector says we should amend language to say ”valid to next change of ownership or within 60-90 days etc. whichever comes sooner”

Heinold: If a sale falls through, getting another one in 90 days is a miracle.

Fitzpatrick: The same sale may be scheduled for one month, but change.

Heinold: Short sales impact too. Are you saying you are asking the person to get a second one?

Lohr: Inspector wants 30 days.

Fitzpatrick: We should review what other towns do. Settlements are often continued due to mortgage commitments.

Lohr: I do agree that the COH from a year ago shouldn’t still be good – especially if no one is living there.

Fitzpatrick: Shirley, have you had occasions where COH is on the books for a year?

Rossi: I think 90 days is fine. A lot of sales are postponed. A lot can happen in a house.

Templeton: Do you know the timeline other towns are using?

Rossi: Some are 60; some are 90. That’s enough time to go through the inspections even for septic.

Fitzpatrick: What do you think?

Templeton: 90-120 due to the ways that things are choked up.

Jass: 120 for this specific time period is probably pretty reasonable.

Dillenbeck: Contingencies today are unbelievable. 120 days.

Fitzpatrick: I think something should be put in in the event that the sale falls through. If they have a new buyer, it should be reinspected. What do you think, Shirley?

Rossi: The new buyer doesn't matter. It's a stamp on the property. The township is guaranteeing the inspection.

Templeton: It's not a guarantee. It's a snapshot of what was seen that day.

Heinold: Some towns just require smoke and fire.

Lohr: He wanted thirty.

Fitzpatrick: Just start with 90.

Heinold: I think that what happens, if it isn't resolved in 90 days, it won't be in 120.

Lohr: Prepare amendment for next meeting.

Resident of Richards: Do we have a restriction on yard sales and when people can do them?

Dillenbeck: We have a fall and spring. Some towns require a permit or a license.

Fitzpatrick: It's going to be addressed again.

Resident: Traffic concern

Dillenbeck: Traffic in front of Rossi's is bad on yard sale days.

Fitzpatrick: It's part of that ordinance package that we're going to review.

Templeton: Thanks to the Rossi's and the Tracey's for coming out to talk with us.

ADJOURNMENT

*Submitted by Maureen Barrett*