

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 May 6, 2013

Present: Ciancio, Templeton, Jass, Dillenbeck, Fitzpatrick (absent),  
Also Present: Mr. Schwab, Township Administrator; Mrs. Lohr, Municipal Clerk;  
Mrs. Martin, Deputy Municipal Clerk; Mr. Noll, Township Engineer; Mr. Heinold,  
Township Solicitor; Chief Desanto, Delanco Police; Mr. Fenimore, Public Works

ORDINANCE 2013-6 AMENDING THE TOWNSHIP CODE AT CHAPTER 145-2(F)  
GOVERNING CERTIFICATES OF HABITABILITY TO ESTABLISH EXPIRATION  
PERIOD 2ND READING BY TITLE ONLY AND PUBLIC HEARING  
HEARING OPEN – no comment  
HEARING CLOSED  
Passed unanimously

COMMENTS AND REPORTS:  
COMMENTS – PROFESSIONALS  
Heinold:

-Completed discovery phase of Dunes litigation. Filed for summary judgment. Judge Suter heard arguments; going back May 24 to deal with that and motions filed by the state. Trial scheduled for week of June 24. They have an expert and we have one. They have each issued reports regarding where the tidelands line should be if at all.

Noll:

- Field of Dreams – concession and restroom construction meeting was held; two week review of shop drawings. Building has a nine-week lead time. Contractor will prep in August. Completion expected in October if all goes well.
- Hickory Street – meeting with my office and John will be held
- \$195,000 granted for Maple Ave from DOT- proposal for design will be submitted
- Boggs Ditch -FEMA and DEP has determined that we are ineligible. They are not funding projects above the Delaware Memorial Bridge. Looking into a joint venture with other towns.
- USD Closure – (missed this)
- Tax Maps – revisions as required by state.
- Meeting scheduled with May 16 with resident regarding sidewalk and easement.

COMMENTS - TOWNSHIP ADMINISTRATOR - none

COMMENTS - DEPARTMENT HEADS

1. Police

- Take Back Prescriptions Day successful– collected 32 pounds
- filled substitute crossing guard vacancy
- current vacancy for special police officer’s position – seeking candidates
- Applying for Cops Hiring grant
- Highway traffic enforcement grant was obtained by county due to fatality on Rt 130. Delanco has been asked to participate. (Shared services under consent agenda)

-Veteran's Peddler License – memo received

## 2. Public Works

-108 cubic yds. of brush collected

-cut all township properties once

-put in ton of patch

-redoing trail at West Ave. Received fresh mulch from county. Doing work in front of the gate.

-two new stop signs

-We are consumed by weeding around park benches and trees. Putting mulch beds around trees so machinery doesn't get too close. Infield mix added to fields at benches to eliminate grass for the same reason.

-Turned sprinkler system on, but it isn't working.

Dillenbeck:

-Forest worth of trees on Poplar.

Fennimore: Told him not to put it out. There is a lot of maintenance that we need to accomplish. When brush is to be put out, that is the time to put it out. People are putting brush out whenever they feel like it. It makes the rest of the town look junky.

Jass: Would it work better by district?

Fennimore: What we are doing now is working. It takes us five days to get through. Then we can move on and do other things. We have to clean out storm drains and start sweeping.

Dillenbeck: You are supposed to notify the township that you are putting out brush.

Fennimore: We have a time limit. It's 20 minutes per property. If it's put out right in one direction, that is plenty of time.

## 3. Municipal Clerk – Hazardous mitigation to be discussed later.

### COMMENTS - TOWNSHIP COMMITTEE

Jass:

-River Route Advisory Committee - discussed pedestrian safety and bicycles on 130.

Discussed Buy 130 First campaign supporting businesses in the county and in county towns. Survey of Burlington County lifestyle will be done.

-Recreation Commission – Saturday “Hunters of the Sky” at West Avenue Trails celebrating the first anniversary of the opening of the trails. Guided tours of raptors presented by Woodford Cedar Run Refuge. Astronomy night on April 20 was successful. Memorial Day parade is Sunday, May 26 starting off at 1:00pm at Larchmont. Participants should gather at 12:30. Master Sergeant Clifford is the grand marshal.

Templeton:

None

Ciancio:

None

Dillenbeck:

-Attended Astronomy Night

-Townwide yard sale successful – Hoagies sold out.

-Attended Newton's Landing brunch.

-Visited Rivers Edge for barbeque. New management team. All looked good.

- Attended Fire Commissioners meeting. Briefing on new alert system.
- Attended seminar by Cooper Hospital
- Attended mitigation meeting to be discussed later

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

Letizio for Citizens for WANT: Rally event to be held at the Dunes in July. Did some planting near the sign and the memorial. CUPHI donated over \$200 to WANT.

Resident of Burlington Ave: Eagle Scout project is planned for May 11 - cleanup of Hooker Street Pond behind Riverside High School. Starts at 8:30am.

Dillenbeck: Boy Scouts did an outstanding job for town-wide yard sale.

Resident: Very proud of all that they do.

Resident of Burlington: I was here last month and Mother's Day is coming up. I was wondering if the gentleman will be back selling flowers.

Heinold: Did research on peddling statute. It is very favorable to veterans. Memo will be finalized in a letter.

Resident: The peddlers statute I read said that they couldn't be a stationary position. He would have to keep moving.

Heinold: I will check on that, but it wasn't in the language I read.

Desanto: He told me he wouldn't be selling for Mothers' Day. He is only interested in Easter flowers. I don't anticipate him being out there.

Resident: He's been here for 17 years.

Desanto: That's what he told me.

MEETING CLOSED TO THE PUBLIC

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CONSENT AGENDA:

RESOLUTION 2013-72 TERMINATING CONTRACT WITH RECYCLERWARDS, INC.

RESOLUTION 2013-73 APPOINTING MUNICIPAL COURT JUDGE FOR THREE YEAR TERM

RESOLUTION 2013-74 RESOLUTION AUTHORIZING PROFESSIONAL SERVICES APPOINTMENT FOR TAX MAP REVISIONS AND PREPARATION

RESOLUTION 2013-75 APPROVING THE TOWNSHIP OF DELANCO'S APPLICATION FOR FEDERAL DEPARTMENT OF JUSTICE, COPS HIRING PROGRAM (CHP) GRANT PROGRAM FUNDING

RESOLUTION 2013-76 AUTHORIZING THE TOWNSHIP TO ENTER INTO A SHARED SERVICES AGREEMENT FOR THE "BURLINGTON COUNTY ROUTE 130 TASK FORCE" PROGRAM

RESOLUTION 2013-77 AUTHORIZING DISPOSAL OF OUT OF SERVICE OFFICE EQUIPMENT

PAYMENT OF BILLS  
ACCOUNT AMOUNT  
GENERAL \$ 1,117,425.42  
PAYROLL 104,431.41  
CAPITAL 30,018.24  
PUBLIC DEFENDER FUND 193.41  
TRUST 4,361.65  
RECREATION DEV 250.00  
MCPL OPEN SPACE 873.76

APPROVAL OF CONSENT AGENDA Passed unanimously

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MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

Resident of Burlington: Regarding S-1896/A-1503 -legislation is poorly thought out. Would require work for tax collecting authority. Professionals' time is costly and the process doesn't help with any departments that have fixed levies. Think carefully about the full impact. Urge you not to support this legislation.

MEETING CLOSED TO THE PUBLIC

CORRESPONDENCE

- Letter regarding DOT Grant for Maple Ave.
- Letter of resignation of special law enforcement officer Brian Norcross
- Letter from Freeholders – May 15 at 7pm Memorial services in Westhampton in recognition of fire, police, and emergency personnel.

DISCUSSION ITEMS:

1. PROPOSED RESOLUTION – SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS (Tabled from 4/15/13)

Heinold: Our assessor has comments and concerns. Can we ask him to come out  
Schwab: Everything dealing with property assessment in New Jersey takes place at the municipal level. The advantage of that is that if there is a foreclosure or delinquent payment, it comes to municipality – no need to fight among entities. This is the first time we have seen reduction in values. We are absorbing that (\$11 million in Delanco) There is a push that everyone share in that. That's one of the arguments that it might help. But what happens if there is an add assessment, will we have to split that with everyone?

Joe Rahman, Delanco tax assessor joined the meeting.

Rahman:

-If you look over a ten year period at adds and appeals, the adds outweigh the appeals. We are going to equalize through the hybrid assessment and stabilize our rate. The Monmouth Demonstration will change the calendar; they will do a yearly assessment as a five year pilot. Assessing yearly will allow the townships to budget based on what the judgments on the appeals would be since appeals would be Jan, Feb, March. The current situation is temporary. When you build out a community, you don't get the adds, but when you stabilize you should.

Ciancio:

-Is passage of this an advantage to the township and not to different township entities?

Rahman: You have to be careful what you wish for. You'll find that the adds outweigh the losses.

Ciancio: Is there an advantage to passing?

Rahman: Over the ten year period, the adds outweigh the losses.

Heinold: Right now, we are the only ones in the position to assess. My concern is buy low and sell high. If this went into effect and the municipalities would benefit, it should have gone into effect at

the bottom. We are seeing developers who have been silent for five years starting projects again. The timing of the legislation is off.

Rahman: Those who didn't share in the loss, will be coming after the gains.

Schwab: If the add comes on through the year, it goes to our surplus and helps the local municipal budget and therefore taxes. The overall taxpayer won't save anything at all. Right now, we get 100% of interest on delinquent payments. I don't see a disadvantage of the current system.

Resident: As I read current legislations, it doesn't authorize additional payments to entities.

Dillenbeck: I don't like the plan.

Jass: I feel that the input of the tax assessor, administrator and solicitor were helpful. I think we should not support this.

Ciancio: Agree

Templeton: Agree. Mr. Heinold characterized it nicely as a legislation that is five years too late.

There is more downside in a normal economy going forward.

Committee took no action on this matter.

## 2. PROPOSED ADDITION OF PUBLIC COMMENT STATEMENT TO AGENDA-

Heinold: There is a provision now that states that general public comment is provided at every public meeting. We can control comments by time limit. There is some pending legislation as in the past under the auspices of increase in public involvement and open government, which requires that agendas be set in advance and cannot be changed. However, it's not uncommon for residents to come forward with something that can be done immediately by resolution. So that actually makes the government more stagnant. We have two periods for public comment now. It seems appropriate that they may not have an opportunity for a resolution or discussion item though the chair can always open it up. In other municipalities, the first period of comment needs to be on what is on the agenda that evening. If comments on other issues are lengthy, other attendees may not be able to stay to hear or comment on an issue of interest.

Dillenbeck: That's what we have been doing.

Ciancio: We just need to add a statement that organizes the meeting for all parties so that the guidelines and rules of public comment are reasonable and set.

Heinold: Only other comment is on the language that requires Township Committee to respond to a resident on an issue. You may want to consider changing that. For example, if a resident gets up and talks about a conspiracy between the FBI and CIA, do you want to have to respond to that?

Ciancio: I recommend a standard procedure printed on the agenda.

Lohr: Like the consent agenda statement.

Templeton: Could be printed at first.

Jass: Should be on the website.

Lohr: Take out that last sentence?

Heinold: We can finalize that first.

Lohr: Review before we put it on the agenda.

Lohr: Attended with Dillenbeck May 2 Hazard Mitigation update program at Burlington County. To participate, need to authorize a letter of intent to participate. Current mitigation plan is in your packet. We are part of county's now, but it expires in November. After that, the municipality has to complete a packet. We need to declare damage from FEMA emergencies, (missed this), and name specific projects named that would mitigate in future emergencies. Met with Harry Fox, Dillenbeck, and Jen Salvado: recommending that subcommittee be formed to work with engineer, who is our flood plan administrator, to submit the paperwork. Tight timeline to submit to FEMA to state by August so there is no gap between expiration and update.

Ciancio: Wouldn't the emergency committee be appropriate instead of a subcommittee?

Dillenbeck: They would be part of it. If we don't put anything in, and we have a disaster, we would be at the end of the list. For example; soil erosion along the Delaware, flooding on Hickory Street. There was going to be a subcommittee.

Ciancio: Do we have to form a new committee?

Lohr: That committee is in response to an emergency. This involves more engineering and planning.  
Dillenbeck: The plan is good for five years. Jesse and John can identify potential hazards. We need to list any action we could take. Engineer would advise. We are going to have to spend money on the plan, but if something happens we won't get any money without it.

Lohr: Hickory Street improvement would be a good candidate for funding.

Dillenbeck: Pump ran continuously for three days and burned out a \$25,000 motor. Things like this could be put into the mitigation plan and possibly get money back. If you do participate, there is a chance you won't get anything back, but a chance that you will. A good portion of the money isn't going to the shore. It's going to be used by the counties.

Templeton: Do you get the money to mitigate the problem or after the damage has been done?

Dillenbeck: Not sure.

Templeton: If we identify a weak spot and we don't get funding and don't fix it, because we've identified it as a hazard and then it causes damage, does it impose liability on the township?

Heinold: I see what you are saying on dangerous condition argument. You should be able to do good public planning. I guess it could be used against us, but anything could.

Dillenbeck: (missed this)

Heinold: As for a 'dangerous condition,' there is a second tier. I looked at it, and if you can't afford all of it at that time, that is a defense.

Templeton: Boggs Ditch – Federal government and Corps of Engineers both have responsibility, but they refuse to take care of it.

Dillenbeck: We are going to include it and the riprap for the Delaware.

Templeton: Programs like this sound good, but lock you into doing something you can't afford.

Dillenbeck: They told us that by identifying these problems, we might get the funding. Boggs Ditch affects three communities. Maybe we can get money for that.

Schwab: If you don't have it on a list, you won't be eligible for funding. During our annual budget we determine what we can afford. If you can't afford, it is a defense. I've seen cases like that.

Templeton: How much to produce the document?

Dillenbeck: Engineering costs.

Templeton: Each needs an engineering study.

Dillenbeck: Some we have already, but others need some estimate of what the cost is. Most of the projects are already costed out. It's a matter of adding any other problems that we see.

Templeton: (missed this)

Jass: Need to move forward.

Motion to do letter of intent to participate.

Passed unanimously.

Noll: Will review documents and give a proposal to Mr. Schwab.

### 3. STATUS OF PROPOSED HICKORY STREET DRAINAGE IMPROVEMENT PROJECT

Noll: Received two quotes – Hickory St drain (\$20,000 + engineering would be in budget) and valve and other downstream. Harry and John will be getting together.

### 4. VACANT PROPERTY REGISTRATON & MAINTENANCE REGULATION ORDINANCE

Dillenbeck: Riverton, Beverly, and Willingboro have these. Would like to look at their ordinances. Marlene brought this up originally. Great idea. You charge an appropriate fee to inspect regularly.

Charge fee to cut the grass. Records need to be meticulous in case of foreclosure or sale so that you can collect the monies that you spent. Might cost us more than what we are going to get out of it.

Jass: Has to be looked at thoroughly.

Dillenbeck: We looked at repairing properties. Horror stories about townships not getting money back.

Ciancio: Interested.

Schwab: Recommend a subcommittee to go over that. I found conflicts in our ordinances about grass. There aren't standards. Come back in 60 days with recommendations.

Dillenbeck: Mayor Fitzpatrick sorry not to be here tonight – under the weather.  
Fennimore: Property we cut on Washington – it's been three years. Someone bought the tax lien on it?  
Dillenbeck: Every time you cut, you need to document.  
Fennimore: We have.  
Schwab: They [Township Committee] have to adopt a resolution.  
Jass: Does that resolution have to be done every time you cut the lawn?  
Schwab: Yes, that becomes the procedure; it goes on the consent agenda.  
Lohr: Don't we have to do a notice each time public works would go out to cut?  
Schwab: Says each time.  
Heinold: Once the process is in place, it becomes routine. The costs become part of the lien.  
Schwab: You add 10% and interest on failure to pay to cover your administrative costs.  
Fennimore: Wouldn't it be in the township's interest to foreclose?  
Heinold: One of the statutes results in township owning. That may work in Trenton with low values and demolition team, but you may not want to do that here.  
Schwab: Philadelphia ended up owning 20% of neighborhoods and liability was costing more than any value they could get from them.  
Dillenbeck: If you are going to foreclose, it costs \$3500.  
Lohr: Was tax certificate purchased, or has ownership changed?  
Schwab: Tax must have been paid all of these years. That is the perfect example for the subcommittee to consider. Costs need to escalate to make it painful for owner.

ADJOURNMENT

*Submitted by Maureen Barrett*