

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 meeting February 2, 2015 started at 7:42pm

Present: Ciancio, Templeton, Jass , Dillenbeck, Fitzpatrick

Also Present: Mr. Schwab, Township Administrator; Mr. Noll, Township Engineer; Mr. Heinold, Township Solicitor; Mrs. Martin, Deputy Township Clerk; Mr. Fenimore, Supt. of Public Works; Chief DeSanto, Delanco Police

SPECIAL PRESENTATION – DELANCO RECREATION COMMISSION 2014 HOLIDAY HOUSE DECORATING CONTEST WINNERS – Kathleen Quinn and Joanbeth Segal

ORDINANCE 2015-1AMENDING THE TOWNSHIP CODE TO AMEND CHAPTER 183 GOVERNING “GARAGE AND YARD SALES” 2ND READING BY TITLE ONLY AND PUBLIC HEARING

Ciancio: (read this statement) The yard sale ordinance was designed to prohibit perpetual yard sales – allows four per years - one every three months. Not meant to prevent a resident from selling an item like a bike. That isn't a yard sale. This was pointed out in public comment section. Township Committee is considering a revision to allow a resident to sell one item.

HEARING OPEN TO THE PUBLIC FOR ORDINANCE 2015-1

Resident of Burlington Ave: Pertaining to four items that you are supposed to be allowed to have and then you took that away. Taking away my rights. I put stuff out front and chief came to my house and we had a discussion about what was one item. Table and chairs were one item; matching bedroom set wasn't considered one item. That's where this stemmed from. I think I'm going to take a ticket and fight it in court.

Templeton: Are these items your household property?

Resident: I own them.

Templeton: How long have you had these things that you are selling?

Resident: A year, a month.

Templeton: So you are taking in products, furniture, whatever and then you sell it.

Resident: Yes, I do.

Templeton: Sounds like a business.

Resident: Am I open every day? No.

Templeton: Still sounds like you are conducting a business.

Resident: That's your opinion.

Templeton: No, that's the zoning. A business has regulations you have to comply with.

Resident: Four items make a business?

Templeton: Four items, then three, then seven,

Resident: (missed this)

Templeton: You're evading the issue.

Resident: You are asking if you have a business.

Templeton: Sounds like you have a business.

Resident: You made the law and then (missed this)

Templeton: You found a weakness to continue your activity.

Resident: Chief just happened to stop that day and we got into a discussion. I think the chief brought out the question. He suggested that I come down and find out. I came here last time to find a way to work together. I could count them as two. You all just ran away.

Templeton: We've been here the whole time.

Fitzpatrick: I think you and Mr. (missed name) made some valid points. That's why the mayor made this statement. It wasn't our intention to do what you think we are doing. We're not trying to take away your rights. We want to hear from the public.

Resident: (missed this)

Templeton: That's this process.

Jass: I voted no on the amendment on the introduction. That's why we are reevaluating. We can only make decisions on safety and welfare of town with input. Takes time to digest them and look at the whole picture. We want to make an informed decision. There are small items in the newspaper that let the public know what we will be discussing. It's nice to see people come out here, but it's only when it affects you directly that you are here.

Resident: Lived here for 19 years. No one has ever asked me to clean up my yard.

Ciancio: Point well taken.

Resident across the street: Mr. Templeton, you asked how long he owned these things? You seemed to make a big deal about it. What does it matter?

Templeton: I don't have standards. I was just trying to find out what his business is. I'm just trying to understand what is going on and what his business is.

Resident: Yard sales are a community thing. What's the difference when they do it? Have met many nice people in town at yard sales. This community only comes together during a yard sale. You can do better with bringing people together and having them come here.

Resident of Burlington 3: I don't read the paper. Got this paper under my door. Seems like making a big deal about how long someone owned something. You don't want to bring people into your household so I don't see what is wrong with having a washer and dryer out.

Resident of Burlington 4: Four yard sales a year – really only 2 – others are town-wide sales. Don't like town-wide yard sales. Think two is totally inadequate to sell on my own property. I've had one yard sale in five years. If I had it Saturday and Sunday, it counts as two days. It's not enough. Think you are exceeding your authority to regulate advertizing. That's regulated by the state. Find it offensive that I have to get a permit to sell something on my property. Could be beneficial if we had to register for a sale so police are notified. Police could verify that it is the homeowner. Conceivably someone could rob you and put your stuff on the lawn or come with stolen property. It's a nuisance to have to get a permit. This ordinance punishes all the citizens because some people are inconsiderate of their neighbors.

Resident of Walnut Street: What drove the ordinance?

Fitzpatrick: Complaints of neighbors.

Resident: Haven't seen any problems. One person complains and we need an ordinance.

Fitzpatrick: Complaints about continual yard sales.

Resident: Parking?

Fitzpatrick: Parking and because items were there all of the time.

Ciancio: Appeared that some individuals actually had a business – not just an occasional thing, but an ongoing thing for virtually a year. If you are running a business that you have to follow those regulations.

Resident: Lots of businesses at home in Delanco.

Ciancio: If we control the appearance of the community, it enhances your property value and attract others to live here. We are trying to make reasonable determinations on a matter such as this. We want people to have the opportunity to have yard sales. If you chose not to participate in the town-wide yard sales, that is up to you. You're coming here tonight shows the issue is important.

Resident: It's already been enacted and we are fixing an ordinance that is in place. It's a slippery slope.

Ciancio: Ordinance does prohibit people from doing something we had no intention of prohibiting.

Resident: You think it detracts from property values. Some people have another opinion. Do you have data/

Ciancio: Yes, it is an opinion. If you had ten people, (missed this). That is why town has ordinances that state you have to mow your lawn. Do we need to do a scientific investigation? I think not.

Resident of Second Street: Township should consider four sales a year and nothing else. If people want to sell out of their front yard, they should go to Columbus. People are trying to sell their homes and it makes the town look junky. They can get a business license.

Resident across Burlington again: There are other things make the town look junky. Everyone in this town is aware of other things that make the town look junky.

Ciancio: If someone has a yard sale, it doesn't make the town look junky, but you don't have them 365 days.

Resident: Has that happened?

Fitzpatrick: I had to deal with one. It doesn't have to be on Burlington Avenue to affect the neighbors around it.

Ciancio: There are some people who abuse the system. It's the responsibility of the Township Committee to rectify that without taking away someone's right to sell a bike or something from their lawn.

Resident of Burlington Ave 5: Taxes and mortgages are outrageous. Take care of grandchildren and wife is ill. Have to do something to make a living. It's not a business that I run. I've abided by your rules. You are saying that we can't have a washer/dryer out. Traffic is only a problem during town-wide yard sales. I have one neighbor who is a complainer. I know who has been complaining. I rebuilt my house. I can't afford new sidewalks. My neighbor got his done on the other end of town. That doesn't get taken care of. Just want to feed my family. I can live by the rules of four sales a year, but to not be able to put a thing out on the lawn, that is wrong.

Resident 6: No dog in this hunt. Wording seems to be the problem. Good intention, but might have bad consequences. Would Girl Scouts run afoul of your ordinance?

Ciancio: We need to look at unintended consequences.

Resident 3 again: Because of some that will abuse... if someone is running a business, they should be fined. Whole town shouldn't be held accountable.

Resident of Maple: I've been in the situation where a few relatives have passed away this year. I've had to sell contents to make a funeral. I don't know if four is the right number. There could be a special type of permit based on the reason.

Resident of Union: I remember when this issue came up, it was from traffic and neighbors complaining. This man said that this ordinance would prohibit him from making a living. That's on tape. There is a difference between a yard sale and running a business.

First Resident: Leave it alone. Fine people and we can fix the sidewalks.

Resident 4: Don't see yard sales as a detriment. Grew up when we were taught that if someone got on a soapbox they had a right and you should defend that right so you can have your rights.

Resident of Shipp's Way: Constant yard sales are a nuisance – traffic – safety for children. Agree with four per year. Could be extenuating circumstances. When it comes to a business, there is Columbus Market.

Resident of Delran: I live in Delran. Your town doesn't look junky. I've come through here for 20 years. Your yard sales are not an eyesore. You should be proud of your residents. Traffic is only bad during the town-wide yard sale days. From the outside, your yard sales aren't an issue. Light rail – drugs and crime are issues. Waste of time and silly to worry about a washer for sale. If someone is doing something wrong, are they fined?

Fitzpatrick: There was nothing to stop them. That's why we did the ordinance. Those people aren't here tonight. I think Delran has a yard sale ordinance too.

HEARING CLOSED TO THE PUBLIC

Dillenbeck: Motion to carry over for review of language. If I told my wife that we weren't going to have any more yard sales, she would kick me out. Yard sales should be controlled – can't be 365 days. A few items shouldn't be a problem. We do have an anonymous line and have received many complaints.

Heinold: Due to the language review, put it back on the agenda for March 2nd. Technically, when the ordinance comes back, we have already had public hearing, but I always suggest public comment again so that public can comment on new language.

Lohr: Need to advertize?

Heinold: If we make changes, at that point we will.

Passed unanimously

COMMENTS AND REPORTS: COMMENTS -TOWNSHIPADMINISTRATOR Schwab:

-Budget workshop – Feb. 9 with outside organizations and department heads. Hopefully agenda won't be huge and we can discuss the budget at 8 or 8:30. If time permits, police and public works as well. Auditors will be here as well
-Assessor's report received.

-Attended county meeting on assessor's demonstration program- object is to take 20% of the properties and bring everyone's assessment to 100% each year.

Changes calendar and appeals to be completed by March. Postpones budget

approval to May. Then we don't have to set aside reserve for appeals. Ex. Atlantic City has to borrow millions. Difference of opinion between county tax board and freeholders. Impact on Delanco is that we would have to budget \$8-10,000 for field work each year. For first two years, we would be OK, but then would have to build that amount in budget. The goal is consistency. If we are ordered to do it, we can go outside of cap as opposed to if we do it voluntarily. I have a 30-40 page Powerpoint packet on it if you are interested

COMMENTS – PROFESSIONALS

Noll:

- Leaking irrigation at Field of Dreams handled
- Rivers Edge parking draft ordinance on agenda for tonight
- Tax map maintenance – revision in process
- Washington and Orchard Streets – punch list in spring when weather is better

Heinold:

- Litigation for Dunes with DEP – appeal on February 23rd at 9:30 at old court house in Mt. Holly.
- Damaged property at 302 Rancocas Avenue – hazard for neighbors – pursuing it through the court. Hope to see demolition date soon.

COMMENTS

- DEPARTMENT HEADS

1. Police

- 2014 Numbers – 412 investigations, 7368 calls for service from public and officers, 180 arrests, 65 hand gun permits.
 - Retirement celebration for Officer Stahl
 - Planning Board Ordinance at Rhawn – reference to one-sided parking on the street. Newtons Landing concerns. Advised the planning board that NL issue is that the mailboxes are right in front of the house and don't get mail if there are cars parked there. If this is a similar situation, maybe we can head something off.
- Jass: I sit on JLUB. Did bring that to their attention – need gang boxes. Actual amount of cars won't meet the requirement if mailboxes are in front of houses.

2. Public Works

- picked up 379 Christmas trees
- 1/2 patch for potholes
- went over all snow equipment and made several repairs
- put out 30 tons of salt and plowed 3 times
- 13 trees trimmed

3. Municipal Clerk - none

COMMENTS - TOWNSHIP COMMITTEE

Templeton:

- Attended Joint Insurance Fund meeting –
- Attended Library Book Club

Jass:

- Attended Recreation reorganization – same officers, formed Dunes subcommittee, events from the library. Please keep those. Working on Summer Camp July 6– see website
- Attended budget workshop. Please come to that meeting so you can hear the things that are being stated by volunteer committees that work with money from the township.
- Missed Mr. Stahl's retirement and Economic Development meeting due to illness.
- Economic Development – third Tuesday–Officers: Shirley Rossi, Marie Reese, Barbara Towel.
- Still committee openings that you can volunteer for.

Dillenbeck:

- Sewerage Authority - 46 applicants for secretary
 - Fire Commissioners meeting – review on finances for fire truck – several bids.
 - Went to Palmyra Community Center – day of service for animals– kids making dog toys. Chart with information on spaying and neutering pets to be posted.
- Fitzpatrick: When is the vote for fire budget?
Dillenbeck: Feb. 21
Fitzpatrick: Everyone should know that. (missed rest)

Fitzpatrick:

- Talked with Scott Taylor on Field of Dreams –
- Met with Maureen Barrett and Katrina Radcliffe re: contract with the school
- Program at library – Fundraiser – Ducks on the Delaware - \$5 - suggest you get your reservation in. They decided to do that after the Historical Preservation Board put a display of decoys in. I arranged for David Giannetto to come and talk about his book, which includes info on my grandfather.
- Attended budget meeting
- Rec was cancelled due to the snow we didn't get
- Economic Summit at BCC– Marie Reese attended – Mayor Ciancio in the paper.
- Attended Gary Stahl's retirement dinner.

Ciancio:

- Joint Land Use Board meeting is cancelled.
- Attended many of the same things you have heard – retirement dinner and Economic Development.
- New library board member – Chris Bishop
- Shade Tree Commission – new applicant to be interviewed
- Economic Summit – optimistic in all areas

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS SESSION ONE
Resident of Pennsylvania: On behalf of Vittorino family to request 5K on May 16 to raise money for Coalition for Pulmonary Fibrosis. Done and out by 12:30.
Motion to allow this event at Gateway Park.

COMMENT AND QUESTION SECTION OF THE MEETING OPEN:

Resident of Colgate: I serve on Recreation. Are you thinking about a community center?

COMMENT AND QUESTION SECTION OF THE MEETING CLOSED TO THE PUBLIC

CONSENT AGENDA ITEMS

ORDINANCE 2015-2 CALENDAR YEAR 2015 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) *1ST READING BY TITLE ONLY AND SET PUBLIC HEARING DATE FOR MARCH 2, 2015

RESOLUTION 2015-31 RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WILLINGBORO TO SHARE PUBLIC WORKS EQUIPMENT AND PERSONNEL

RESOLUTION 2015-32 GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014-JUNE 2019

RESOLUTION 2015-33 RESOLUTION AUTHORIZING BURLINGTON COUNTY DIVISION OF MOSQUITO CONTROL TO CONDUCT AERIAL LARVAL/ADULT MOSQUITO CONTROL ACTIVITIES AND AUTHORIZING EXECUTION OF MUNICIPAL AGREEMENT FORM

RESOLUTION 2015-34 AUTHORIZING TAX COLLECTOR TO PROCESS PROPERTY TAX BALANCES LESS THAN TEN DOLLARS PURSUANT TO N.J.S.A 40A:5-17.1

RESOLUTION 2015-35 RELEASE PERFORMANCE GUARANTEE FOR FRIENDS OF CYRUS, BLOCK 2100, LOT 11

PAYMENT OF BILLS ACCOUNT AMOUNT

GENERAL (CURRENT) \$1,099,251.98 PAYROLL 110,141.58 DOG TRUST 18.75 TRUST 20,195.46 MUNICIPAL OPEN SPACE 10,284.50

APPROVAL OF MINUTES

12/1/2014, 12/15/2014, 1/5/2015, 1/12/2015 and 1/26/2015

APPROVAL OF CONSENT AGENDA – Passed unanimously

CORRESPONDENCE

1. Letter from Brett Harris – interest in serving on Shade Tree Commission
2. BC Community Development – meeting re: block grant program. Have attended in past and will again.

Public Comment

Fitzpatrick: Brett Harris's father was on committee and was deputy mayor. Tragic accident lost his life. Nice to see this fine young man stepping forward.

Resident: Openings on committees? Where would I find them?

Lohr: Online or come to see me. Door always open.

DISCUSSION ITEMS:

1. Request for Sponsorship – 2015 Boys' State \$225 to send young man from Delanco to program at Rider

Lohr: You approved Girls' State

Passed unanimously

2. Draft Ordinance for Rivers Edge Parking Issues AMENDING CHAPTER 295-32 GOVERNING "NO PARKING" AND CHAPTER 295-38 "ONE-WAY STREETS"

Heinold: Number of discussions with public about lack of parking at Rivers Edge.

Mr. Noll's office has developed a plan to make some two way streets, one way streets and create some additional spaces.

Fitzpatrick: Mayor and I went out. It was our idea to make some of it one way.

Noll: Originally 62 spaces. 79 with two-ways. With one-way 103 spaces. We will need to remove signs.

Fitzpatrick: It's been a long process. First map was incorrect. It's finally ready for an ordinance. First reading at next meeting?

Heinold: Can introduce tonight.

Lohr: Ordinance 2015-3 AMENDING CHAPTER 295-32 GOVERNING "NO PARKING" AND CHAPTER 295-38 "ONE-WAY STREETS" and set hearing date for March 2.

Passed unanimously

Fitzpatrick: Will notify HOA so they may attend.

Templeton: Will there be residents with residents cutting through instead of making the whole loop?

Fitzpatrick: HOA is aware of that and will deal with that.

DeSanto: Please forward a copy of that map.

Templeton:

JIF safety breakfast Thursday morning.

ADJOURNMENT

Submitted by Maureen Barrett