

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 July 15, 2015

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; Mrs. Taylor, Township Planner

Fitzpatrick asked for a moment of silence in memory of four residents who have passed away recently: Rick Lewis, who served on the Zoning Board and Township Committee, Harry Myers, Jeff Clem, Amy Johnson

ORDINANCE 2015-9 ADOPTING A REDEVELOPMENT PLAN FOR THE RHAWN PIPE FACTORY REDEVELOPMENT AREA 200 RHAWN STREET (BLOCK 2100, LOT 1)  
2ND READING BY TITLE ONLY AND PUBLIC HEARING -  
HEARING OPEN TO THE PUBLIC FOR ORDINANCE 2015-9- no public comment  
HEARING CLOSED TO THE PUBLIC

Dillenbeck, Fitzpatrick, Ciancio, Jass – yes, Templeton: No

RESOLUTION 2015-81 DESIGNATING DELANCO FAMILY APARTMENTS LLC (NAME TO BE CHANGED TO DELANCO FAMILY APARTMENTS URBAN RENEWAL LLC (“DFA”)) AS REDEVELOPER TO IMPLEMENT THE REDEVELOPMENT PLAN FOR THE RHAWN FACTORY SITE REDEVELOPMENT AREA LOCATED ON RHAWN STREET, BLOCK 2100, LOT 1 AND AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT

Templeton: If the agreement collapses or parties aren’t able to fulfill obligations, what happens to property? Return to township?

Heinold: Yes. We aren’t going to transfer property to Walters Group until we know financing is in place. When that happens, we have high level of confidence that the project will go forward. After that, if something goes wrong, there is language that would return it to the township.

Templeton: Cornerstone at Delanco... is that different from Delanco Family Apartments?

DelDuca of Walters Group: Name of community is Cornerstone at Delanco. All of our properties are using that name.

Templeton: Kitty, the referenced resolution – should be #9?

Heinold: Yes, it should be #9.

Passed unanimously

RESOLUTION 2015-82 RESOLUTION OF THE COMMITTEE OF DELANCO TOWNSHIP, BURLINGTON COUNTY, ENDORSING THE FINDINGS OF THE COURT MASTER WITH REGARD TO THE LACK OF A DENSITY BONUS FOR THE RHAWN SITE – WALTERS GROUP AFFORDABLE HOUSING PLAN

Templeton: We have changed the zoning so we are changing density.

Heinold: This is a funding source requirement. They don't want to see developers double-dipping with market units as well. That's not the case here. 100% affordable.

Templeton: But the zoning is well above the previously allowed density.

Heinold: Yes. They are just concerned about market units.

Templeton: Appreciate you explaining that. The letter just came in.

Passed unanimously

RESOLUTION 2015-83 AUTHORIZING FIRST AMENDMENT TO DEVELOPER'S AGREEMENT WITH HOVBROS COOPERTOWN ROAD, LLC (HOVNANIAN) FOR THE CROSSINGS AT DELANCO STATION DEVELOPMENT

Jass: We all worked extremely hard on these documents. To meet filing dates for COAH, had to be expedited. Professionals and Township Committee reviewed carefully.

Templeton: My appreciation to Doug Heinold and Janice Lohr for handling this in a time-compressed matter. Very complicated matter under imposed time constraints under a law we don't like dealing with. Not happy to be forced to accommodate this method of development. Heinold and Jass dissected what we hope are all the weakness of the agreement. My hope, despite problems, is that this comes off with minimum of further work or trouble on the township's behalf. Hope it comes to fruition as described.

Fitzpatrick: I circulated "The Truth About Affordable Housing," an article. Also thank Doug, Janice, and Michele for everything that expedited project. I don't feel this is bad for Delanco. We are meeting our obligations and Mr. Hovnanian has modified his plan so less impact on schools. I'm not voting for this under duress. I see this as a win for Delanco and provide housing for working class and another senior development.

Templeton: The article you circulated was written by a Wells Fargo employee.

Fitzpatrick: I hold her in the highest esteem.

Passed unanimously

RESOLUTION 2015-84 RESOLUTION CONFIRMING A MUNICIPAL CONTRIBUTION FOR THE DEVELOPMENT OF AN AFFORDABLE HOUSING COMMUNITY FOR THE RHAWN FACTORY SITE REDEVELOPMENT AREA LOCATED ON RHAWN STREET, BLOCK 2100, LOT 1

Passed unanimously

Heinold: I wanted to say that we fit at least a six or nine month process in a six week window. All of the Township Committee are fiercely interested. I am proud and happy to work with them. Agile and capable of responding to some difficult issues. Thanks to Michelle and Joe – pleasure to work with. Town should be proud of the process.

COMMENTS AND REPORTS:

COMMENTS - TOWNSHIP ADMINISTRATOR

-Detailed Public Works equipment in consent agenda– there are funds to implement  
– looked at contracts and found one through shared services group we used before

Middlesex Educational Service. National Joint Power Alliance to be used for the other item. New legislation allows us to contract this way.

-Also in consent agenda - upgrade towing fees at request of police – hasn't been done for years.

-going to update our website – you can view presentation on the computer. Kate is viewing that as well.

-emailed assessor's report

-Bridge Commission – do you want to participate in group borrowing? Ignoring it this time.

-Consolidated our notes .84% \$703,000 – if we save one percent it is worth it.

-State launching a new plan – plans to review through construction office will have to be done electronically and asking for permits etc. that way. State-wide. Will be interesting to see how it works.

#### COMMENTS - PROFESSIONALS

Fox:

-preconstruction Friday at 9:30 for Field of Dreams Phase III.

-Subdivision on Illinois is complete – will do inspection this week.

Heinold:

-No word on Dunes litigation – may be September if we don't hear soon.

-Filed with Judge Bookbinder regarding our intent to do affordable housing.

#### COMMENTS - DEPARTMENT HEADS

##### 1. Police

-Fee schedule for towing – researched other surrounding towns. Picked numbers fair to companies and customers.

-June report – 56 cases with investigations, 85 motor vehicle violations, 63 motor vehicle warnings, 793 contacts with public. 21 arrests made.

-Received copy of email regarding foliage in front of Zurbrugg. Member of Shade Tree Commission requested to file a complaint. Needs to be communication regarding who is going to maintain that.

Ciancio: We will address that tonight.

##### 2. Public Works

-picked up 84 yards of brush this month.

-2 2/12 tons asphalt

-cut township property 4 times, Dunes 3 times

-tree on Holly, big limb Maple and Delaware last storm

-cleaned storm drains on Pennsylvania Ave.

-Willingboro came in and fixed collapsing manhole cover. Had leftover patch and did corner of Rivers Edge and Fenimore.

-County took 21 trucks of chips.

-Started sweeping streets

-Signs are done for Rivers Edge – 60 signs – need something with compression to drive them in. Compression. Talking to two other towns to join in – Delran is interested

Jass: Have you ever reached out to county for cold patch?

Fenimore: Yes. Didn't have it at that time..

Templeton: Vehicles in consent agenda - loader and two trucks. Is that exactly what you want?

Fenimore: Yes, current trucks are 13 and 15 years old. Upgraded to get a little bit more horsepower. Bigger dumptrucks are \$125,000. These are \$75,000. Probably won't have them until March – backordered. In great demand.

Fenimore: Loader is 15 years old. It is the heart of Public Works.

Templeton: Disposition of old ones?

Schwab: Monitor and consider sale later. If we decide to sell, value will offset the debt.

Fenimore: Will have a big plow.

### 3. Municipal Clerk

-Six computers in administration on XP platform – no longer supported through Microsoft. 4 are in good shape. We could donate to a non-profit. We have four more to replace.

-Teleconference with League of Municipalities – efficiencies and Verizon's application to relax its responsibility to service copper land lines. Verizon wants to stop serving in five years even though we don't have Fios as a replacement and it seems as if we aren't getting Fios. Through Board of Public Utilities, League will petition to require Verizon to service copper landlines.

### COMMENTS - TOWNSHIP COMMITTEE

Templeton:

-Busy couple weeks with all of the material related to development. Hopefully this will work out for town.

-JIF – annual inventory of vehicles and equipment to be sure database is correct.

-Meeting scheduled with Assemblyman Troy Singleton meeting tomorrow – speaking to him regarding COAH – fairness when significant part of population would qualify for affordable housing yet paying full tax load. Not being able to credit true demographics – local rents are at or below those of the affordable housing project. Trying to highlight boots on the ground impact of state decisions.

Jass:

-Also attending meeting with Troy Singleton – COAH and the Dunes.

-Concerts have been rained out. Concert this and next Thursday. Starts at 7 at Hawk Island.

-Emergency Management Meeting with rest of Committee

-Summer Camp in full swing – lots of trips – movie days – go to library

-Joint Land Use Board meeting

Dillenbeck:

- Attended Sewerage Meeting – audit – connection fee will be \$2298.81 due to increased debt load. Will renew contract with Beverly
- Fire meeting – finalized specs on new fire truck
- Fire Commissioners meeting – proposal by Kate – (missed this)
- EMS – exploratory stage – 9 young people – suggested that they contact Mike Templeton regarding the JIF. Last fire at Newtons Landing – respondents were graduates of this program..
- State has approved replacement of Narcam by hospitals for both EMS and police. \$40/shot. Hope they do it for Epipens - \$430. Janet’s Law approved. Details of implementation pending.

Fitzpatrick:

- attended eighth grade and DARE graduation
- attended DYSA’s meeting – went over special events requirements that were circulated by Mike – pig roast in November. No date yet for opening date for soccer.
- Historical – farm display – working with library on 150 years and Delanco Federal Savings for 125(?) years.
- Spoke to Hovnanian regarding grass cutting – farmer was jammed up, but will cut on Saturday.
- updated list for OEM meeting
- working on ordinance to circulate for front porches in Delanco – residents complaining about condition of front porches and what is being stored on them
- Riverfront Baseball Team – champions and All County Softball – two girls picked
- got three bricks installed in Gateway Park. Some are falling in. Maybe we can get an estimate. We need to look at it before it gets worse. It is sinking. They need to be cleaned.
- Request for 1:00 on 26<sup>th</sup> – Gateway Park – reason is a secret. So I am going to request for myself. Won’t be any more than a half-hour or an hour.

Ciancio:

- Attended History, Land Use Board, Library Board. Judy Fowkes has passed away leaving an opening on the Library Board - contact Maureen Barrett
- Farmland Preservation
- Attended a meeting at which speakers promoted early childhood education as primary way to improve performance in schools. Critical in Delanco.

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS SESSION ONE

Resident: Lived here five generations – historic site of the butcher shop. Only replaced roof and electric – grandfather was a butcher here. I’m about to sell my place. I’m being forced out. One person already sold their home over this. My daughter is suffering from depression. Rental is a nuisance and has been sited. Have to have cameras all over my property. Filed charges. The only reason we come back is to do lawn work. Can’t rent our place. Talked it Shirley Rossi. She said come to the board. Eric Hoffman found the butcher shop interesting interesting. That’s what made Delanco. A judge can’t stop it. The law says that only the township can take that permit to rent. They stood in this court and threatened us –

want to cause us pain and have me locked up for six months. We have plenty of rentals without any problem. Other landlords can't believe what is going on. Everyone says I should not have to sell my place over this. Every week she stands outside and complains about every one of the neighbors. I don't feel I should have to sell. I have two contractors who want to put apartments there. I don't want to do that to my neighbors. I can't live here and there. My daughter got into a good school here. I don't want to leave. One neighbor has already sold her house.

Resident: We live across the street from nuisance renters. I can't even even go out of my house. They are laughing and taunting me. You can literally hear what they are saying. I don't want to say the curse words. I want to go out, but I can't.

Ciancio: We can only act upon since there is a violation of ordinances and laws. We are limited by them. Thank you for making us aware of the situation.

Fitzpatrick: There has to be an ordinance. I'm looking into this ordinance again because I have another situation similar to yours. Maybe Doug can address.

Resident: It says "anyone on the township committee"

Heinold: I would be happy to talk to your attorney. If there is some avenue we can pursue, we will entertain it.

Fitzpatrick: There has to be certain criteria.

Resident: It says that anything that is a nuisance.

Fitzpatrick: Could you give me the name of your attorney?

Resident provided that.

DeSanto: I can get the paperwork. Littering?

Resident: Nuisance

DeSanto: Found guilty of that?

Resident: Yes, look at the tapes.

DeSanto: The criminal part has to take place before ...

Fitzpatrick: Last time you were here there were no convictions.

DeSanto: Cases are pending

Resident: We do what the police says. Can't go in front of the regular judge. Jen says court doesn't have the money.

Ciancio: We have the information very clearly from you. You have received an invitation to have your attorney contact the attorney.

Resident of Shipp's Way: Hovnanian's grass is too long.

Fitzpatrick: Talked to him after the brunch I attended at Newtons Landing.

Resident: Cut a 35 ft. square and ignored the rest.

Fitzpatrick: He was here tonight and assured me that it would be cut.

Resident: Coopertown Road home as well – needs to be cleaned up.

Jass: Issue with building closest to river. Code enforcer did notify fire marshal.

Resident: Waiting for a fire there at any time.

Jass: Perhaps you will post on Newtons Landing

Resident: Thanks for having the guys check the property.

DeSanto: Arrest was made

COMMENT AND QUESTION SECTION OF THE MEETING CLOSED TO THE PUBLIC

\*\*\*\*\*

CONSENT AGENDA ITEMS

RESOLUTION 2015-85 REFUND OF TAX OVERPAYMENTS FOR OVERPAYMENT OF INTEREST TO LIEN HOLDER FOR SUBSEQUENT MONEY COLLECTED IN ERROR

RESOLUTION 2015-86 AMENDING THE DELANCO TOWNSHIP TOW FEE SCHEDULE UNDER CHAPTER 260-6B OF THE CODE OF THE TOWNSHIP OF DELANCO ENTITLED CHARGES AND FEES

RESOLUTION 2015-87 RELEASE PERFORMANCE GUARANTEE FOR POWERHOUSE EQUIPMENT AND ENGINEERING CO., INC., BLOCK 2000, LOT 6.02

RESOLUTION 2015-88 AUTHORIZING PURCHASE OF 2015 JOHN DEERE 444K 4WD LOADER UNDER MEMBERSHIP IN THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION (MRESC)

RESOLUTION 2015-89 RESOLUTION AUTHORIZING THE TOWNSHIP OF DELANCO TO ENTER INTO A COOPERATIVE PRICING AGREEMENT – NATIONAL JOINT POWERS ALLIANCE

RESOLUTION 2015-90 AUTHORIZING PURCHASE OF TWO 2016 FORD F-550 SUPER DUTY TRUCKS WITH RUGBY DUMP BODIES AND WESTERN SNOW PLOWS UNDER MEMBERSHIP IN THE NATIONAL JOINT POWERS ALLIANCE (NJPA)

RESOLUTION 2015-91 AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

RESOLUTION 2015-92 RESOLUTION AUTHORIZING APPOINTMENT FOR CONTINUING DISCLOSURE AGENT SERVICES

PAYMENT OF BILLS

GENERAL \$ 707,072.45

PAYROLL \$193,983.00

CAPITAL IMPROVEMENT \$4,091.15

PUBLIC DEFENDER \$203.24

DOG TRUST \$62.00

TRUST \$8,166.25

MUNICIPAL OPEN SPACE \$27,246.76

APPROVAL OF BUSINESS LICENSE 2015-51

APPROVAL OF DEPARTMENT REPORTS

APPROVAL OF CONSENT AGENDA

Passed unanimously

\*\*\*\*\*

APPOINTMENT OF INTERIM MUNICIPAL PROSECUTOR

Heinold: Current prosecutor has been elevated to the bench as municipal law judge.

Ciancio: Looking at interim to finish out this year and then go to applications and interviews for appointment.

Lohr: Adam Malamut Do we need a resolution or ordinance?

Heinold: Prosecutor in place has ability to appoint interim.

Lohr: Resolution 2015-94 to make interim appointment passed unanimously

#### CORRESPONDENCE

-Read thank you letter from Walnut Street graduate who received the Brett Harris Award

-Tax collector – bills will go out late since county hasn't struck the rate yet. Due date will be printed on the mailed tax bills. She will have her regular hours until the bills go out.

Resolution 2015-95 extending tax mailing – Passed unanimously

Ciancio: Received email from Randy Cherkis asking question: What can his buyers do maintaining township property? One gentleman had taken it upon himself to take some action and a complaint was filed against him. My response that any concerns residents have should be related to township personnel or committee. Any other comments?

Fitzpatrick: It is my understanding that this gentleman didn't just go out and cut. Mr. Fenimore was aware that he was doing that. Man and his wife clean up the trash on the river. I don't know...this happened in another case on Buttonwood. Member of Shade Tree told someone directly what they can and can't do. I think the same gentleman did the same thing. People need to know who to go to. This man was working through Pubic Works.

Ciancio: No matter how well intended, property is not his. If he is allowed to do it, anyone is. They have to be accountable for it. Can't have specialized cleaner uppers of township property. If we want to have clean up events, that's different. Resident can't take down a tree or limbs. If he went on private property, there would be a lawsuit.

Fitzpatrick: Think it was mishandled if people in the township knew he was doing it. Member of board or committee shouldn't be approaching person – go to police or code enforcement. I don't go around harassing residents.

Ciancio: Individual and complainant will have opportunity to present to a judge. It will be resolved through the court.

Fitzpatrick: Since it is our waterfront property, we need to maintain it as a water front property and have the shrubs cut.

Jass: We had this issue with park and benches. Recreation reached out to John due to deterioration.

Fenimore: Everyone wanted me to trim this. It is very dangerous to get in there. You don't know what is in there. I try to keep it down. I looked at what this gentleman has done. Everybody on the riverfront has something blocking their view. He should have come to me, Shade Tree, or you guys. You don't skip everything. Now he is going to court. I walked along there. It's kind of naked. He took some saplings down. It will grow back.

Jass: What are the procedures with a board?



Fitzpatrick: Dealt with this with Mary Ward. This individual went to her directly. He should have gone to police or to Shade Tree and gotten a letter sent. I went out to take a photo. I didn't say anything else. The boards and commission people need to know that they should come here or to the police or to John.

Fenimore: Resident shouldn't have done what he did either.

Jass: In defense of the Shade Tree Commission, we had that issue at Rivers Edge where trees were removed by residents. Perhaps our liaison to Shade Tree should make that suggestion.

Dillenbeck: Lot of negativity about affordable housing. Had an individual with 12 people who make less than \$15/hour. Most end up living in Camden. Now with the affordable housing, they will be able to live here. There is a positive side.

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

Resident of Pennington Court: Fire at Newtons Landing. Near the lighthouse entrance, post with triangular shape that I understand indicates the type of construction. You can't read it. There is nothing on it. Who maintains it?

Jass: Don't know. That indicates a framed house.

Resident: People I talked to in Newtons Landing didn't know it was there. Needs to be redone.

Fenimore: It's just a symbol.

Fox: Don't know that there is any regulation requiring that sign.

Fenimore: Would be nice for visiting fire companies.

Ciancio: Will check on it.

Templeton: Is it on HOA property?

Resident: No

Fitzpatrick: On John Rahenkamp's property.

#### COMMENT AND QUESTION SECTION OF THE MEETING CLOSED TO THE PUBLIC ADJOURNMENT

*Submitted by Maureen Barrett*