

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 on March 21, 2016

Present: Browne, Templeton, Jass, Dillenbeck, Fitzpatrick

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

#### COMMENTS AND REPORTS:

##### COMMENTS - TOWNSHIP ADMINISTRATOR

-Feb report from tax assessor reviewed

-Chief and I met with govdeals regarding auctioning unused items. We would pay 7 1/2% - have to do resolution to detail the items from police and public works. Authorization to be done through govdeals would be done that way. Fire District is already using it.

-Tom Casey received letter from ISO – insurance codes that determine rates. They look at building code effectiveness. Look at records and interview construction officer etc. Issued rating of 4 out of 5 which is average for the state of NJ.

-On March 14, third meeting regarding Field of Dreams by all parties involved – DYSA, Rec, Public Works, etc. Final punchlist on grounds and buildings. Reviewing proposals for maintenance contracts shortly.

##### COMMENTS - DEPARTMENT HEADS

###### 1. Police

-In February, 45 investigations, 61 traffic tickets, 55 traffic warnings, 616 calls for service 21 arrests 4 traffic accidents

-300 block of Union – congregation parking too close to corners. John will paint corners.

###### 3. Municipal Clerk

-Obama declared emergency from winter storm Jonas. Meeting to be held. Won't be a lot of dollars as for a hurricane, but may recoup some of our costs. Small window to apply

-Attended block grant meeting – spoke with director regarding Delanco projects. She said it's very difficult. One method is to ID an area in which income would meet HUD requirements. Would have to knock on doors and survey residents and their incomes. Intrusive and labor intensive. Then would be filed with HUD to appeal. Director is willing to meet with us to go over those projects that would qualify because they benefit the town as a whole.

Fitzpatrick: Hard for me to believe that there are sections of Delanco that don't fall into those guidelines any more.

Lohr: She is willing to set up a meeting. Someone else from the governing body should attend since I've already spoken with her. We don't have areas that qualify.

Fitzpatrick: We did at one time. Had two areas.

Lohr: With 2010 census, HUD used a different methodology. Town got skewed.

Templeton: I will go with you on that one.

Jass: So will I.

Lohr: Send me some dates and I will call Karen.

#### COMMENTS - TOWNSHIP COMMITTEE

Templeton:

-Environmental Advisory Group had on offtrail clean up at the Dunes. 18 bags, a sewer pipe and tires were removed. Thanks to members of EAB. A trail clean up is scheduled as well.

Fitzpatrick: Just your board did that?

Templeton: Yes.

-Attended Downton Abbey finale tea. Lot of people from all over town. Well done. Put on by library staff.

- Also spent some time stuffing envelopes for library fund raising mailer.

-JIF – attended 2 hour safety meeting and monthly meeting. Working on property and personnel audits.

-Attended seminar – County Office of Emergency Management with US Coast Guard and Homeland Security, Marine and State Police. Most of it was bureaucratically over our heads – not nuts and bolts – chapter and verse, which we can't look at or access. We did get an 800 # for Coast Guard if disaster on river is observed 215-271-4940 goes to 24 hour emergency response. Talked with county OEM this morning. They are going to schedule more useful workshops for local levels. Homeland Security grant through the county and state. I was troubled that the lunch offered at Clarks Landing which was wonderful. Rivald what you would see at a wedding reception - \$55 a head. Thought that was extravagant considering that we look at every dime at our level and money seems to be flowing freely elsewhere. Expressed my disappointment.

-Attended meeting in Edgewater Park regarding continuing issues with Boggs Ditch. Singleton, Conaway, and Booker's offices were represented. Also representative from NJ Transit – no state DEP or county. Trying to address clog of outflow to Delaware River.

-Contact with Verizon – home phone out again for two weeks. Also filed a complaint with Board of Public Utility online. Seems to be highly effective. Sent out a truck that night. Keep Board of Public Utilities in mind.

-Travel the River Line regularly – observed NJ Transit police – 2 passengers with no tickets, loud music, 4 eating – no tickets issued. Sent email to Barbara Lazaro. Had a long discussion regarding decline in service and enforcement.

Fitzpatrick: What are they going to do?

Templeton: She offered to set up a meeting with me and the Chief of transit police. I said I know that he had been working with Chief DeSanto. No point in spending time making me happy.

Fitzpatrick: True

Templeton: One guy was asked to leave the train, did and came right back in. Officer saw him and made him get off at the next stop. No ticket issued. Some people in town won't ride it especially off peak.

Fitzpatrick: I saw them write two tickets.

Templeton: Sent Committee a number to contact them.

Jass:

- Attended Comedy Night – great crowd
- Attended Seniors – Jean Stanfield – if you are of age, you can take defensive driving and get money off of your insurance
- Attended library board meeting
- Recreation – Easter Egg hunt – double the amount of people. We have to reevaluate and put some restrictions on the adults. Summer camp – July 5 – Aug 12 full day 9-3 with trips planned. Sign up online and you can pay by Paypal. April 9 – Dunes Clean Up -Preparing for Memorial Day parade – asking groups to respond. May 7 celebration of Dunes Trail opening at 11:00
- Attended Board of Ed meeting – introduced the budget – May 4 presentation at 7:30

Fitzpatrick: Impact?

Jass:

- Raised it. \$6,097,312.

Fitzpatrick: Increase per household?

Jass: Not given. Some type of meeting on March 22.

PTO has a representative at School Board meeting as does the library. Asked Recreation if they would be willing to have a representative there. Appointed me to go.

-Attended Field of Dream maintenance meeting with Richard.

-Attended Books vs. Badges shootout – very good. Will be annual.

-Attended Bogs Run meeting – no longer called Bogs Ditch. NJ Transit had an interest. What they have done is extend that culvert and are maintaining it. Seems to be sporadic rather than scheduled maintenance.

Browne: Does Bridge Commission attend?

Jass: Were noticed originally. They cleaned it out five years ago. We used to have a gate at the river, but not now.

Peter Fritz: Culverts were set up too high.

Dillenbeck:

-Thanks for cards and fruit baskets.

-Comedy Night a success.

-Hoagie Sale for townwide yard sale. Might be price increase due to increased costs.

-Fantastic to be back and walking again

Browne:

-Call from resident re: dead deer on Coopertown Road. We have no signage regarding deer there. They go right across to the creek. Should we reach out to county?

Templeton: How many should we get? They are on Delaware Ave.

Fitzpatrick: And Rancocas.

Browne: Speed limit is higher there.

Fitzpatrick: Let John Fenimore know.

Browne: Time to look at crosswalks.

DeSanto: County painted them.

Fitzpatrick: Burlington and Vine – two right across from each other. One at the end should be removed. Too close for people coming around the bend.

DeSanto: Need to contact the county.

Browne: Reiterate that Mike isn't the only one who has had problems with the RiverLine. I was pulled off the train like a criminal for not having my ticket stamped while there was criminal activity going on on the train. We should tell NJ Transit that we are getting sick of it. I lobbied for that train. Residents are scared of it. Need to form a subcommittee. Mike shouldn't have to take this battle on himself.

Fitzpatrick: Jesse was working with the Transit police.

DeSanto: Every time I've worked with them, they have been cooperative. Any time we have an issue, they are willing to help. One officer assigned from here to Camden. Another from Burlington to Trenton. Always say they are hiring, but seems southern rails are the least concern. Captain of the southern division is helpful. Using plain clothes police. Helped us clean up the stations. I can only speak to my experience.

Browne: Reach out to other towns.

Jass: Maybe it's time to have another meeting to bring them to task. When we have a meeting, it gets better for a while.

Browne: When they wanted to bring the line in, they had all kinds of people there.

Fitzpatrick: John, maybe we can reach out to NJ Transit.

Jass: Administrator at Riverside has contact.

Dillenbeck: Anyone intoxicated were just thrown off the train, and then we were called. There is only one policeman. There were a lot of incidents. Recently, my wife and son went to Trenton in the morning. People were smoking on the train.

Fitzpatrick: Years ago we didn't have a choice. NJ made a decision that it would be here. I thought it should be in Moorestown. Wasn't a vote. Thought it seemed like a good deal. Used a few times and went with friends. Coming back was a mess – drunk woman with little children. Not patrolled properly. If North Jersey gets all the officers, maybe we should make a fuss. Let's get them to clean it up.

Browne: Mike fired me up.

Dillenbeck: Include Mike Fury as well.

Browne: Kid skateboarding at new Dunkin Donuts. Nice to see money going into Delanco. Must be putting \$100,000. Lots of new concrete and sod. Can't skateboard on it.

Jass: Putting picnic tables there.

Browne: Were signs there regarding skateboarding.

Fitzpatrick: Jesse,

DeSanto: Can have officers talk to them.

Fitzpatrick:

-attended Field of Dreams meeting.

-Attended meeting for area mayors. Veteran's exemption – state should reimburse.

Municipalities don't get anything back from state – Pemberton and Willingboro.

Hire people who actually live in your town. Educational funding is way off. Some communities are receiving more than their share. Verizon was brought up – no

cable service at all in some areas and poor service. Verizon won't maintain the copper.

- Attended Books vs. Badges.
- Attended Easter Egg hunt. Glad you are reconsidering grouping.
- Dunkin Donuts opening April 2 10-2
- April 16 at 9 – opening day for DYSA
- April 15 6:30 and 8 – Walnut Street play – tickets \$5
- Historical Preservation Advisory Board – in 2015, short a member, Alma Jordan came back and is a total asset. Meet first Wednesday at Zurbrugg Mansion. Many exhibits have been done. Presentations like Jersey Devil. Other displays throughout town at events and parade. Publications as well. Thanks to Peter and Ron. Great birthday party at library presented by Katrina Radcliffe and Heather. Credit to Dr. Jay Cohen for help with materials about Delanco Schools. We have applied to receive membership on Burlington County passport.

Peter Fritz reporting for Historical Preservation Advisory Board:

- Permanent display of Willmerton Bible at Church
- Ground Zero display put together from donations by Bob Bellam
- Other displays rotate for three months at a time.
- One display case was at Delanco Public Library. Fire Marshall determined it had to leave within hours. No place for the display case. Kate suggested Municipal Building. She put in for Public Works to move the case. Thanks to John. Community thank you to First Presbyterian Church is in there now. Ladies Quilt was done. (quilt was shown to the Township Committee)
- TC passed a motion to display the quilt in the Municipal Building. Was some conversation about how to display it regarding supporting it and protecting it from light.

Jass: More information on county passport?

Fritz: Burlington County Historical Roundtable gets together five times a year. New project to do a historic passport with place for stamp. There are also regular tour hours at Zurbrugg Mansion at the time of our monthly meeting. We also have self-guided walking tours.

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS SESSION ONE -

none

COMMENT AND QUESTION SECTION OF THE MEETING CLOSED TO THE PUBLIC

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CONSENT AGENDA ITEMS

- RESOLUTION 2016-49 2015 BUDGET APPROPRIATION RESERVE TRANSFERS
- RESOLUTION 2016-50 ENDORSING RECYCLING TONNAGE GRANT
- RESOLUTION 2016-51RECYCLING TAX CERTIFICATION
- RESOLUTION 2016-52 ANNUAL BUDGET EXAMINATION SELF REVIEW - 2016

PAYMENT OF BILLS ACCOUNT  
GENERAL \$ 87,229.87  
PAYROLL 76,432.81  
DOG FUND 76,432.81  
ESCROW TRUST 7,397.02  
MUNICIPAL OPEN SPACE 477.71  
ACCUMULATED ABSENCES FUND 1,024.40

APPROVAL OF MINUTES  
2/8/2016, 2/17/2016,  
AMOUNT  
APPROVAL OF DEPARTMENT REPORTS  
APPROVAL OF CONSENT AGENDA - Passed unanimously

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APPROVAL OF MINUTES- 2/1/2016 Passed with Dillenbeck abstaining

Fitzpatrick: Mike Fury sent this to me today regarding his budget. Actuals from 2014

Fitzpatrick: Fund drive – you didn’t get \$5000 from Dietz and Watson. We dealt with that for one year already.

Dillenbeck: Mike did an excellent job.

Fury: Started a new spreadsheet for this year.

RESOLUTION 2016-53 INTRODUCING 2016 MUNICIPAL BUDGET AND SET PUBLIC HEARING FOR APRIL 18, 2016, 7:30pm

Also authorize publication of said budget as required by law.

Schwab: Budget copies outside the door here. User-friendly budget will be online. Compares current and past five years. If people like statistics, they are here. This is what is recommended by state best practices. Main thing about 2016. 2.7% is below state cap, surplus is up a bit. Goal is to have more in your savings account. Nontax revenues \$18,000 less than last year- rental registrations not allowed this year based on court decision. A relatively small percentage. Revenue side is stable; expenses up 2.7%. Increase in ratables – new housing up \$2 million overall. Increase there helps with tax rate. End result .98 per hundred. Increase of \$72 for average \$190,000 home. Supporting public safety and need equipment for public works. My recommendation is to read all the documents and come back on the 18<sup>th</sup> with your questions. Those of you who are here know this stuff pretty well.

Fitzpatrick: We are just introducing this. Public hearing is set.

Dillenbeck: Thanks to Richard for a great job.

Passed unanimously

CORRESPONDENCE - none

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS SESSION TWO

Mike Fury: New app that Burlington County paid for the subscription Pulsepoint – if there is cardiac arrest or (missed it) if you are CPR trained, you get a call. Also connected to map of all ADD in the area. Increase in survival rate in Oregon where they are using the app.

-Emergency Squad – 90% uploaded regarding state licensing. Mike Templeton helped with insurance info.

- Books and Badges – Books won

Schwab: Does TC need to do anything?

Fury: Yes, an agreement. Will look for a sample from another town's.

Resident of Delaware: If you are working on the RiverLine, please involve the public in town. Lots of riders here. They need to provide enforcement.

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

### DISCUSSION ITEMS:

#### 1. PROPOSED ORDINANCE AMENDING TOWNSHIP CODE TO AMEND CHAPTER 110 GOVERNING “ZONING” (Accessory structures in front yard) Continued Discussion

Lohr: This says no accessory structures can be in the front yard without a variance.

Templeton: Like a gazebo, a wishing well?

Lohr: Gazebo has its own language.

Schwab: Structure with a roof

Fitzpatrick: 10 by 10 or something.

Schwab: Better to prohibit. It is an unusual circumstance where you would have room between house and setback. I would introduce.

Templeton: OK.

Ordinance 2016-4 Amending code as above – has to go to Joint Land Use Board and back here. Public hearing May 2.

#### 2. PROPOSED ORDINANCE AMENDING TOWNSHIP CODE TO AMEND CHAPTER 222 GOVERNING “PROPERTY MAINTENANCE” Continued discussion

Fitzpatrick: Bill and I are looking at property maintenance. International Code that we are considering covers some of this.

Schwab: Access online, but you have to pay to print out a copy. We do an agreement that allows that.

Fitzpatrick: This discussion is the one the township was proposing.

Schwab: No, this is the International Code.

Fitzpatrick: OK to introduce tonight?

Browne: No, I don't want to vote on something I've never seen.

Fitzpatrick: We will circulate it and people can sign off.

Schwab: I will forward the link so you can read it online.

April 4 discussion again.

#### 3. PROPOSED ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF THE TOWNSHIP OF DELANCO ENTITLED “LAND USE PROCEDURES”

Lohr: If you are a member of HOA, before you can get a permit, you have to have a letter from HOA. Permits were issued for solar panels, but people didn't have letter from HOA. When we looked at code, it said no zoning permit without a letter, but not building or construction permits. HOA letter would be required for construction permit as well unless there was an emergency.

Templeton: Not our job. Just include a line "HOA approval may be required."

Lohr: Argument is that it would save money for residents in HOAs. I'm not in favor of it because if there is a problem, we get the blame.

Fitzpatrick: We didn't have HOAs before.

Lohr: It helps our office.

Templeton: It opens us up – asks our construction official (missed this)

Lohr: Our construction official won't hold up a construction permit.

Jass: Being part of HOA...intent from testimony – letter would be needed from HOA to township. I don't think anyone realized that there would be an issue with solar panels.

Fitzpatrick: I think the best wording is like Mike said.

'Homeowner should be advised that they may need HOA approval.'

Lohr: Current language says "no zoning permit" but not construction.

Fitzpatrick: Why don't we just add "construction".

Schwab: Too wide. Would still apply if you are doing a kitchen.

Browne: I move that we take this back to the drawing board.

Lohr: Doug will be at the next meeting. We can continue the discussion. If you would like to rescind this part of the chapter, we can consider that too. Situation where person wanted to put in a pool, met requirements, permit was issued. HOA came at us to let us know that they needed HOA approval.

Resident of Union Ave: Simple solution, any time someone gets a permit, piece of paper that says, "check with your HOA"

Lohr: We put stickers.

Resident: It's a HOA issue.

Fitzpatrick: Like fence issue, language that says "it may be subject to HOA approval".

Jass: You could just put in "exterior."

Fitzpatrick: We need to revisit this. It needs to be simple.

Discussion continued for April 4.

#### 4. DEVELOPMENT OF ROAD REPAIR PROGRAM continued discussion

Fitzpatrick: Engineer has submitted a proposal. John has submitted a list of what needs to be done.

Browne: We discussed improving sidewalks etc. If you are getting a contractor down the streets, best to do it at that time.

Fitzpatrick: We are doing an ordinance...this is just development of a road program.

Browne: We need to institute some repair program. It's crazy that within 2 seconds we get a proposal for \$12000 for professional services. We need to figure out where the money is coming from before we start paying professionals.

Jass: Complete streets?

Schwab: Explains why you can't get as much done for your money. What Chris sent you is what engineers are doing in other townships. You could argue among



yourself about which streets. They are talking long range about all of the streets. If all five of you went out and did a list on your own.

Browne: We have John Fenimore.

Schwab: You have to put a number with it. A dollar amount. Generally you want a whole plan. It costs much more money.

Browne: Is it feasible to have a plan like that for a little town?

Fitzpatrick: Started at Washington when they did Orchard. John patches every month. I would add a couple more streets.

Schwab: One way or another, you need an engineer to give you an estimate. You have to pay the engineer one way or another. Decide what you are going to spend a year. You need info about what you can afford and also what it will cost.

Browne: We just finished this budget. A capital improvement program is inside or outside the cap?

Schwab: Outside.

Browne: We could have a referendum on tax. 4 cents One block is \$100,000.

Schwab: More

Browne: Will build up.

Fitzpatrick: Before I came on TC, they did a bond and did several streets at one time. I think that is the way to do it. Having another tax set aside will take forever.

Browne: Even if we establish the line item and fund it, road can be in great shape now, but that can change. It needs to be reviewed annually.

Fitzpatrick: I don't see it that way. I see bonding to do the worst five roads. There was a time when there weren't any grants.

Jass: Complete Streets – inventory and master plan with costs. You could bond and apply for grants.

Fitzpatrick: No grants now.

Jass: Monies for Complete Streets.

Browne: Surrounding towns are putting money into streets.

Fitzpatrick: Chris sat here last meeting and said there are no grants.

Browne: Even if state of NJ decided to fund, they won't be worried about little streets. We are on our own. Things have gone downhill.

Jass: Do both. Do a master plan. The way the state looks at it... last year's grants all went to towns that had a master plan.

Schwab: Complete Streets – look at impact on drivers, pedestrians, trees, ...may include trees, drainage – more cost. State says those willing to do that rise to the top of the list for grant money. Has to be high volume or connect to state or county road or it won't get state aid.

Fitzpatrick: Same long range program was enclosed.

Schwab: This is preliminary.

Browne: We are going to be spending big money.

Jass: Have to to maintain infrastructure.

Schwab: If you borrow money, you have to pay that back. If you borrow every year, debt rises. Alternate is cash. Combination of debt plus cash. We don't know what we get for a dollar unless we ask the engineer.

Browne: Residents want to see improvements - sidewalk heaves everywhere.

Fitzpatrick: We aren't going to repair them. We don't have the means like when we got DOT grants. We aren't going to do the sidewalks. Policy is that residents are required to repair their sidewalks.

Browne: I understand that is one of the possibilities.

Schwab: Chris is going to forward Palmyra's. Start of this discussion.

Fitzpatrick: Adding other streets

Browne: Lot of good streets and sidewalks. We pass budgets. Residents get services, but they want to see improvements.

Fitzpatrick: Most of the improvements over the last 20 years have been through grants. Burlington Ave, Gateway Park – grants

Browne: Municipal Building?

Fitzpatrick: We bonded for that.

Browne: It's a different economy.

Dillenbeck: I would like to find out which streets are really bad. Ex, Willow was \$150,000 because of the way it was originally constructed. Nice to get engineer's report. Might be cheaper to fix more streets. Like the idea of banking money for that. We are going to have to have a program going. If economy improves, grants from DOT may come back. We still need to have a program in place.

Fitzpatrick: We will need the plan to apply for grants.

Templeton: I would like to see Palmyra report. You will need to see groupings of streets. Estimates are only good short-range. If you get an estimate for 9 streets, and can only do three. Only good to get estimates of the ones that are right in front of you.

Schwab: If you do the worst streets first, you will get little done because they are so expensive. 1/3 for slurry/seal for those that have alligatored, 1/3 for overlay and 1/3 for (missed it) Can be hard to explain, but it saves a lot of money. . Public sees work on road that has been done. We do that in Haddonfield.

Fitzpatrick: Illinois will cost \$200,000. Looks like PSE&G is putting in a new main.

Jass: They did that when they put in the new houses.

Lohr: I will email Harry

Browne: I won't be here on April 4

Fitzpatrick: We will hold it for you. You make it lively.

Templeton: That used to be me.

## 5. REPAIR AND MAINTENANCE OF SIDEWALKS

Fitzpatrick: Skirted by Township Committee for a number of years. Ordinance prepared by Doug and Janice's capstone survey. Policy, but no ordinance.

Dillenbeck: Discussed ten years ago. Insurance companies required sidewalk repair. In Willingboro, when you sold your home, they came out to inspect and you had to repair so your buyer could get a CO. It's time to put it in our ordinance – sidewalks are the sole responsibility of homeowner. Talk to Shade Tree about planting in the medians so we don't get the heaves. We save ourselves the headache of repair and avoid a lawsuit.

Browne: Been researching since September. Edgewater abolished Shade Tree and made sidewalk homeowners' responsibility. Janice's report is amazing. Issue of tree

is going to come into play. Residents will want to tree out. If you put the sidewalk on the homeowner, need to bail out of the tree business.

Dillenbeck: Willingboro never planted in the median. Newtons Landing median strip is really narrow – trees have raised sidewalks an inch.

Browne: Afraid of putting the sidewalks on the homeowners will be unpopular. Township put the trees there.

Fitzpatrick: When the township takes down a tree, they put another one. Original plan for Newtons Landing had no trees in the median.

Lohr: When new applications come to Joint Land Use Board, as a member, I argued that trees go on residents' property. I asked for mechanical barriers. Was told they don't work. Argument was that residents would cut down the tree and there would be no trees in Delanco. We are a Tree City. Lot of issues and not easy. When I did my capstone project, people said they wouldn't fix the sidewalk until township takes out the tree.

Fitzpatrick: We should have a joint meeting with Shade Tree. It is nice to see a canopy, but...

Browne: Homeowner should be able to take out a tree.

Dillenbeck: Trees are heaving up sidewalks and roads. It's bad for drainage and everything else.

Jass: If homeowner has sprinkler system, tree roots stay on the surface.

Fritz: Lived in Hightstown. They wanted to put in sidewalks. I was assessed total cost over 10 years.

Schwab: Special assessments are possible..

Fitzpatrick: If you sell during that period of time, that assessment needs to be paid off.

Fritz: Isn't it more efficient for the township to put it in?

Browne: They will do a cheap job.

Fritz: \$5000 to do my sidewalk due to my insurance company.

Schwab: We actually pay more than you do. We would have to charge for the services and administrative charges also. In Haddonfield, the conflict between trees and sidewalks has been going on since Elizabeth Haddon lived there. Had four sidewalk inspectors at one time..

Browne: Walked Haddonfield. How did they solve it?

Schwab: Never solved. Goes on forever.

Browne: That's why I brought up our fixing our sidewalks and streets. If we have to send code enforcement out on sidewalk issues...

Dillenbeck: Why can't we do it when they sell the property?

Schwab: You can't rely on that solely. If someone fails to do their sidewalk, just like high grass, you can do it and bill through the tax bills. If you put it on the homeowner, you have to enforce. If we do it, you have to write specs and pay the engineering firm. Costs more if we do it with our funds.

Browne: We can put it on homeowners.

Lohr: Original discussion – the issue is that it is our policy that it is the homeowners' responsibility. If you want it to be on the books, you can put it there. Most heaves involve a tree that still exists.

Browne: Will meet with Shade Tree and will tell them they will be invited to a meeting.

Fitzpatrick: Are we going to adopt an ordinance to require homeowners to be responsible for their sidewalks?

Templeton: It's not the be all and end all it seems. You will still face litigation regardless. It doesn't do anything to keep you out of court. JIF spent \$30,000 – person fell on sidewalk at the school – not our property, but JIF spent money to keep us out of court.

Fitzpatrick: First get it on the books. Then talk to Shade Tree and ask for their help in letting homeowners take tree down if they want to.

Browne: If homeowner gets denied by Shade Tree, they should be able to appeal to Township Committee.

Lohr: They are a commission with full authority. There is no appeal. Their policy is ramping, alternate materials, diversion. This ordinance would just transfer responsibility, not liability.

Fitzpatrick: We aren't going to have Ron Holt go out and notice everyone.

Browne: You think it is that simple?

Fitzpatrick: Skirted previously.

Browne: Want to talk to Shade Tree first?

Dillenbeck: No. Bring it on.

Templeton: I think you should talk to Shade Tree

Fitzpatrick: Once we get an ordinance on the books.... If I get my sidewalk repaired and a tree is heaving my new sidewalk, I would start an action with this town.

Dillenbeck: Come out and see mine. I put in new sidewalks. They put in two trees and one is heaved.

Templeton: I think you should meet with Shade Tree. We need to maintain good relationships with the commission like we do with land use board.

Schwab: It will be a public meeting.

Fitzpatrick: After budget is approved.

May 16.

## 6. NJDEP RECREATIONAL TRAILS PROGRAM GRANT OPPORTUNITY ADJOURNMENT

Jass: Could be used for Dunes trails. We met requirement. How do you feel about having our planner look at this?

Fitzpatrick: John (Browne) is grants initiative liaison.

Jass: Scott should look at this.

Browne: Where do you want to put trails?

Jass: There are trails there now. To enhance them.

Fitzpatrick: Scott did the mapping.

Schwab: That's why we have an appropriation for planner.

Jass: We have to reconfigure due to decision of court.

Fitzpatrick: Due in May

Jass: Should be relatively easy for Scott

Fitzpatrick: When I read the criteria, there was something that I thought we didn't meet. I will ask Scott to take a look at the grant.

Browne: Does the May 16 meeting with Shade Tree need to be published?

Lohr: If they anticipate a quorum, they have to publish unless they send a subcommittee. We are already published.

Browne: This came up in the 70s when I was in high school.

Lohr: We tell people our policy and it is in Shade Tree's pamphlet. Committee gets such pushback when they go to do this.

*Submitted by Maureen Barrett*