

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
OCTOBER 4, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of October 4, 2011 is a rescheduled meeting originally scheduled for October 11, 2011 and was included in a meeting notice sent to the Burlington County Times and Courier Post On January 5, 2011 and advertised in said newspapers on January 7, 2011, posted on the bulletin board in the municipal building on January 6, 2011 and has remained continuously posted as required under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

1. **CALL TO ORDER** - by Mayor Dickinson at 7:30 P.M.
2. **FLAG SALUTE**
3. **ROLL CALL** - present were Committeeman Boettcher, Committeeman MacLachlan, Committeeman Fitzpatrick, Deputy Mayor Porto and Mayor Dickinson. Also present were Township Administrator/Clerk Paul Tuliano, Jr. and Solicitor Theodore Costa.
4. **MINUTES**
 - A. **Approval of Regular Committee Minutes of September 13, 2011**

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. All yes.
5. **DISCUSSIONS/PRESENTATIONS**
 - A. **Speed Hump Request**

At the last meeting Mr. Tuliano explained he had a list of requests for speed humps from residents, the number of speed humps requested and also the estimated cost for the speed humps. After a lengthy discussion about the various streets and each unique situation it was decided to delay a decision until the committee members gave the requests serious consideration.
The committee members decided to address the speed humps again in early 2012.

Motion: Committeeman Porto. Second: Committeeman MacLachlan. All yes.
6. **ORDINANCE**
 - A. **Ordinance 2011-10-9** – Ordinance to Release, Vacate and Extinguish any and All

Public Rights to Industrial Boulevard (**Public Hearing and Final Adoption**)

Mr. Tuliano said we need to have a public hearing but Mr. Costa would like it to be put off because it's not ready yet. Mr. Costa agreed. Mr. Tuliano said it had to be opened to the public because it was advertised as a public hearing and there is one resident here. If there is no comment the committee can make a voice vote to address it again at the next meeting. **There was no public comment and the committee agreed to vote at the next meeting.**

B. **Ordinance 2011-11-9** – Ordinance Authorizing Purchase of COAH Property – **113 Tartan Lane (Public Hearing and Final Adoption)**

Mr. Costa said this will allow us to purchase the COAH property but it is not the same property that was discussed at the meeting last month; this is one we already have a contract of sale signed on and now we are just following through by having the ordinance passed so we can buy this COAH property and have it ready for sale.

Motion: Committeeman Fitzpatrick. Second: Committeeman Porto. All yes.

7. **RESOLUTIONS**

A. **Resolution 2011-107-10** – Municipal Drug Alliance Resolution

Mr. Tuliano explained this is an annual resolution; the five sending districts for Rancocas Valley Regional High School get together and use the grant money to put on programs related to drug prevention.

Motion: Committeeman Boettcher. Second: Committeeman Fitzpatrick. All yes.

B. **Resolution 2011-108-10** – Resolution of Approval to Submit a Grant Application to the New Jersey Department of Transportation for a Road Reconstruction Project

Mr. Tuliano said this is a new grant application and if the committee agrees, the project will be for the intersection at Broad and Washington Streets. This is the intersection that was discussed at the Joint Land Use Board Meetings when an application was before the JLUB for Fine Homes. Mayor Dickinson asked if the intersection is the one where the large tree is located and was told yes. Mr. Tuliano reminded the committee that this is only an application; it does not mean we are agreeing to do the work. If we get the grant we will take a look at it again. Mr. Fitzpatrick asked if Phillips Road would ever be considered for repair; he remembered that it had been talked about before but nothing ever came of it. Mr. Tuliano said it was possible that it could be looked at in the future but the present

project has already hit the deadline. It was said that the state has denied us three times to have the road repaired; the engineer keeps saying it is in need of reconstruction and the state continues to say it is not.

Motion: Committeeman Fitzpatrick. Second: Committeeman. All yes.

- C. **Resolution 2011-109-10** – A Resolution to Purchase a Kubota Utility Vehicle for the Public Works Department

This is one of the items from the ordinance approved at the last meeting to purchase equipment for Public Works.

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. All yes.

- D. **Resolution 2011-110-10** – Resolution Authorizing the Solicitation of Bids and Approval of Specifications for a vacuum Yard Waste Truck for the Collection of Leaves

This is another piece of equipment that was approved by ordinance for Public Works; now committee's approval is being requested to go out for bid for it.

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. All yes.

Mr. Tuliano handed out a packet of a situation that needs to be addressed; there is an emergent need to video tape the storm pipes in the Lakeside section of Creekview. There have been some cave-ins there and the maintenance bonds expire on November fourth. What is being requested is authorization to have the inside of the pipes videotaped so the engineer will have a better idea of what needs to be done. Mr. Costa is working with Alaimo's office to have the maintenance bond extended for that particular section of the development. Mr. MacLachlan asked if any cracks or problems are found will the township insist that the developer be responsible to repair them under the maintenance bond. Mr. Tuliano stated that if we can get this approved and the taping done before November fourth anything that is found would be subject to repair by the maintenance bond. He went on to say there were a couple cave-ins this year and one of them was estimated by Alaimo's office to cost more than \$150,000; that was covered by a maintenance bond and K. Hovnanian paid for the repairs. That is why it is imperative to have the video of the pipes done. Alaimo Engineering has a company to do this and get a report out. Mr. Fitzpatrick asked if this was moved on tonight is there a good chance that it would get done in time? Mr. Tuliano said what would be done in time is that the engineer's office hopefully will know if there are any more deficient pipes in that area before the maintenance bond expires. That is when Mr. Costa has to do his legal work to get the maintenance bond extended.

Mr. Boettcher made a motion to amend the agenda to add Resolution 2011-112-10. Mr. MacLachlan seconded the motion. All yes.

Mr. MacLachlan asked if there would be a need to designate someone to follow up on the situation. **Mr. Tuliano** said once the resolution is passed tonight he would be out of it; it will be between the engineer and the attorney. **Mr. Costa** said he thinks the videotaping will be done within two weeks and he will have enough time, once we have the results, to send the demands to the vendor and he will put the maintenance bond company on notice of a claim, if necessary. **Mr. MacLachlan** asked who was paying for the taping and **Mr. Tuliano** told him the township. **Mr. MacLachlan** asked if the cleaning would be under the maintenance. **Mr. Tuliano** said it would depend on what is found during the taping; if the inside of the pipe is loaded with dirt or sand then there is a problem somewhere. If it's just the normal things that go into storm drains and is washed away and somehow starts accumulating in the pipe that would have been covered by the performance bond; the performance bond was released almost two years ago. **Mr. MacLachlan** said he wouldn't be surprised if the pipes need cleaning before they can even be taped. **Mr. Tuliano** said that was possible but then it would have to be determined how the sediment got into the pipes. If it got there because of a rupture or a crack then that would become part of the maintenance bond.

Motion: Committeeman Fitzpatrick. Second: Committeeman Porto. All yes.

8. **CORRESPONDENCE**

A. **South Hunterdon Avenue e-mail** – Regarding a request for a Speed Hump

9. **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

10. **COMMENTS FROM THE ADMINISTRATOR**

A. **Next Meeting on Wednesday November 9, 2011 the night after the election.**

B. **Park Update**

Mr. Tuliano reported the exercise stations are in and being used and they should start digging the foundations for the lights either this week or next.

11. **COMMENTS FROM THE SOLICITOR**

Mr. Costa said as a follow up to last month's meeting he would like to know what the township wants to do as far as the COAH properties at the Glen at Masons Creek are concerned. He said last month the committee decided not to pay the association dues for the property he is foreclosing on for the township. Mr. Costa said the committee had broached the topic of having a meeting with the Glen representative and he wants to know if they still want him to set that up or maybe they should decide whether or not the township wants to continue with COAH over there. He said there were several questions at the last meeting and he may have gotten a little flustered because he's not sure which way we want to go. Mr. Costa asked for more input on the subject. There was a lengthy discussion concerning various aspects of COAH between the committee members. Mr. Tuliano suggested that the township no longer purchase any more of the COAH properties. After the discussion it was decided that Mr. Costa should set up a meeting between himself, Mr. Porto and Mr. MacLachlan, the sub-committee members, and the Glen representative in November to discuss some of the issues brought up tonight.

12. COMMENTS FROM THE COMMITTEE

- **Mr. Fitzpatrick** – thanked the volunteers and the people that helped Community Day.
- **Mr. Porto** – also thanked everyone that helped make Community Day a nice enjoyable day even though the weather was giving us a little bit of trouble; it turned out very nice.
- **Mr. MacLachlan** – said that the day after our Community Day he and his wife were driving around other towns and saw signs for their Community Day; they charge the vendors \$200.00 to come in there, they only had the concession stand for food, they didn't have any entertainment for the kids and they only had vendors there. He said for a little town like ours we do a great job for our residents. He also said it was a great Community Day.
- **Mr. Boettcher** – said he felt the same way as the other committeemen had just stated and said the Environmental Commission came over and asked him to thank the committee for the butterfly release. He also said that he has seen several people using the exercise stations along the walking trail and is surprised there are so many doing so.
- **Mayor Dickinson** – apologized because he had to leave Community Day for two hours for work but he came back and got to sit in the dunk tank after Mr. Porto. He also gave a special thanks to everyone who helped out on Community Day.
- **Mr. Boettcher** announced the passing of Ron Aspell, the owner of Sonic. There will be a memorial this Saturday at Sonic for everyone to offer memories of Ron.

13. BILL LIST

Motion to pay the bills: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.

14. EXECUTIVE SESSION

- A. **Resolution 2011-111-10** - Resolution to Enter into Executive Session, if necessary.

There was nothing for Executive Session.

15. ADJOURNMENT @ 8:15 P.M.

Mayor Dickinson adjourned the meeting