

**HAINESPORT TOWNSHIP COMMITTEE
REORGANIZATION MINUTES
JANUARY 4, 2011
7:00 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of January 4, 2011 was included in a meeting notice sent to the Burlington County Times and Courier Post On January 7, 2010 and advertised in said newspapers on January 9, 2010 and January 10, 2010 respectively, posted on the bulletin board in the municipal building on January 7, 2010 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 Paul Tuliano, Jr. at 7:00 P.M.

2. **FLAG SALUTE**

3. **Oath of Office to:**

Committeeman Elect William Boettcher, III

Committeeman Elect Bruce MacLachlan

Oath of office for all appointments was done by State Senator Dawn Marie Addiego.

4. **ROLL CALL** – present were Committeeman William Boettcher, III, Committeeman Bruce MacLachlan, Committeeman Michael Dickinson, Committeeman Anthony Porto and Committeeman Michael Fitzpatrick. Also present was Township Administrator/Clerk Paul Tuliano, Jr.

5. **RESOLUTIONS**

1. 2011-1-1 **Appoint Mayor, Chairman of Township Committee – Michael Dickinson**

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

Oath of Office

2. 2011-2-1 **Appoint Deputy Mayor, Vice Chairman of Township Committee – Anthony Porto**

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

Oath of Office

3. 2011-3-1 **Appoint Liaison & Deputy Committee Persons**
- Public Safety – Liaison – William Boettcher**
Public Safety – Deputy – Michael Dickinson
- Construction/Code Enforcement – Liaison – Bruce MacLachlan**
Construction/Code Enforcement – Deputy – William Boettcher
- Administration – Liaison – Michael Dickinson**
Administration – Deputy – Anthony Porto
- Finance – Liaison – Michael Fitzpatrick**
Finance – Deputy – Michael Dickinson
- Public Works – Liaison – William Boettcher**
Public Works – Deputy – Michael Fitzpatrick
Economic Development – Liaison – Bruce MacLachlan
Economic Development – Deputy – William Boettcher
- Cable Television – Liaison – Anthony Porto**
Cable Television – Deputy – Michael Fitzpatrick
- Hainesport Education Foundation - Liaison - Michael Fitzpatrick**

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

4. 2011-4-1 **Appoint Senior Citizens Committee (2) –**
Liaison – Michael Dickinson
Deputy – Michael Fitzpatrick

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

5. 2011-5-1 **Adopting Committee Meeting Dates –**
To be posted.

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

6. 2011-6-1 **Naming Official Newspapers –
BCT & Courier Post**

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

7. 2011-7-1 **Establish Township Holidays**

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

8. 2011-8-1 **Establish Temporary Budget**

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

9. 2011-9-1 **Designate Primary Care Physicians for
Employees – Virtua**

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

10. 2011-10-1 **Appointment of Township Solicitor -
Theodore Costa**

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

11. 2011-11-1 **Appoint Township Bond Counsel -
Parker McCay**

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

12. 2011-12-1 **Appoint Township Auditor -
Bowman and Company**

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

13. 2011-13-1 **Appoint Township Engineer -
Alaimo Engineering**

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

14. 2011-14-1 **Appoint Animal Control Officer –
Wes Goodfellow of Animal Control Services by Wes,
Inc.**

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

15. 2011-15-1 **Appoint Risk Management Consultant –
Tim Irons of T. C. Irons**

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

16. 2011-16-1 **Appoint Employment Practices Liability
Attorney – Capehardt and Scatchard**

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

17. 2011-17-1 **Appoint Fire Official - Ed Ruggiano**

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

18. 2011-18-1 **Appoint Members of Joint Land Use Board
Class I – Mayor – Michael Dickinson
Class II - Official of Municipality – Paul Tuliano**

**Motion: Committeeman Boettcher. Second: Committeeman Porto.
All yes.**

19. 2011-19-1 **Joint Land Use Board Governing Body
Class III – Committee Member – William Boettcher**

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

20. 2011-20-1 **Joint Land Use Board
Class IV – 4 year term expiring 12/31/2014 Thomas
McCay
4 year term expiring 12/31/2014 –
H. Krollfeifer, Jr.**

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

21. 2011-21-1 **Joint Land Use Board
Class IV- Alternate #1 -
2 year term expiring 12/31/2012 -**

**Class IV – Alternate #3 – Beverly Bloesch
2 year term expiring 12/31/2012**

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

22. 2011-22-1 **Environmental Commission -
3 year term expiring 12/31/2013 –
Paula Umland**

Motion: Committeeman Boettcher. Second: Committeeman Anthony Porto. All yes.

23. 2011-23-1 **Authorization of Committee Before
Encumbering Expenses**

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

24. 2011-24-1 **CFO Notification of all Appointments Which
Obligate Township to Expend Funds**

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

25. 2011-25-1 **Cash Management Plan**

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

26. 2011-26-1 **Fixing Rate of Interest Charged on Delinquent
Taxes and Miscellaneous Charges**

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

27. 2011-27-1 **Authorizing Assessor to File Appeals with the
Burlington County Board of Taxation**

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

28. 2011-28-1 **Authorizing Tax Assessor to Handle Rollback Assessment Matters on behalf of the Township**

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

29. 2011-29-1 **Depository of Funds – Various New Jersey Cash Management Plan, TD Bank and Beneficial Bank**

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

30. 2011-30-1 **CFO \$250 Petty Cash Fund**

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

31. 2011-31-1 **Authorized Check Signers Committee Members/Paul J. Tuliano, Jr./Dawn Emmons**

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

32. 2011-32-1 **Authorizing State Contract and County Contract for Purchases**

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

33. 2011-33-1 **Appoint Township Planner – Ragan Design, Michael Wisnosky**

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

34. 2011-34-1 **Appoint Joint Insurance Fund Commissioner - Paul Tuliano, Jr. Alternate Fund Commissioner, Claims Coordinator, Safety Coordinator - Ed Ruggiano**

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

35. 2011-35-1 **Authorizing Tax Sale in Delinquent Installment Payments for Special Sewerage Assessments**

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

36. 2011-36-1 **Authorizing Tax Collector to Refund or Apply Credits for Taxes**

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

37. 2011-37-1 **Authorizing Tax Collector to Mail Notices for Tax Sales**

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

6. **COMMENTS FROM THE PUBLIC**

- **H. Krollfeifer, Jr., 23 Easton Way** – Mr. Krollfeifer said he was happy to be the first one to address the new mayor and wished him good luck. He also thanked the committee for his appointment on the Joint Land Use Board and asked that the minutes show that his legal name is H. Krollfeifer, Jr. Everything he has shows that as his name and he wants to be sure it shows that on all things with the township.
- **Catherine McNelis, 407 Bischoff Avenue** – Congratulated Mayor Dickinson on his appointment and commented it was nice to see someone with a smile because the last mayor kind of thumbed his nose at the whole township. Mrs. McNelis also mentioned that she had been going to citizens meetings and a couple other things with John Paff, and it is her understanding that if the township solicitor is going to sit up on the dais and someone from the public has a question for him he cannot answer or make any comments unless he is speaking directly into the microphone. She said it would be the same as if he were sitting down at the table where she thinks he belongs.

7. **COMMENTS FROM THE COMMITTEE**

- **Committeeman Boettcher** congratulated Mayor Dickinson on his appointment and offered his help at any time.

- **Committeeman MacLachlan** echoed those sentiments and also congratulated Deputy Mayor Porto.
- **Committeeman Porto** thanked the committee for appointing him Deputy Mayor and placing their trust in him. He also congratulated Mayor Dickinson and thanked Senator Addiego for taking time out of her busy schedule and for her efforts in representing Hainesport Township in state government.
- **Committeeman Fitzpatrick** also congratulated Mayor Dickinson and Deputy Mayor Porto and wished them good luck.
- **Mayor Dickinson** said he is extremely honored to be appointed the mayor of Hainesport and accepts all responsibilities that have been entitled to him. He is very grateful for the opportunity to serve our town and believes we already have a strong team in place from our committee to our employees in the township. Mayor Dickinson said he looks forward to working with everyone this year. He said many kind things about the various organizations, volunteers and committees and encouraged everyone to continue to help make the township a better community in which to live. Mayor Dickinson said he is very proud of the trust in him and will justify it to the best of his competence and knowledge.

8. **ADJOURNMENT @ 7:32 PM**

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

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1. **CALL TO ORDER** – by Mayor Michael Dickinson at 7:42 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 November 9, 2010**

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher.
All yes.
5. **REPORTS**
 - A. **Tax Collector** – November, 2010
 - B. **Code Enforcement** – November, 2010
 - C. **Fire Official** – November, 2010
 - D. **Construction** – November, 2010

Motion to accept the reports and spread the Tax Collector's report over the minutes: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
6. **DISCUSSIONS/PRESENTATIONS**
 - A. **Speed Hump Requests**

- **Mr. Tuliano** said that in the committee members' packets there is a list of speed humps that have been requested by residents over the last 6 - 8 months. Also attached is the anticipated cost, which could change, depending on what the committee agrees to and how the bids come in if we proceed to go in that direction.

Motion to receive and file the list: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes. Mr. Fitzpatrick asked to go on record that he did not request a speed hump on Craig Drive.

B. Zoning Officer to Update Committee on Dehate Property

- **Kathy Newcomb** explained that she was here tonight to update the committee on the property owned by Mr. and Mrs. Dehate. On October 13, 2009 she had come to them asking that the Dehates be allowed to live in a trailer on their property because of a fire that had damaged their home. The committee approved the request for 18 months, to expire April 13, 2011, and Mrs. Newcomb said that work has been moving ahead. There are two people that are in a form of construction business, on the outside, and are working diligently to help the Dehates. These people have recently acquired enough money to obtain a structural report from Preferred Property Inspections and Engineering in Cherry Hill, NJ. The report stated that it is not necessary to tear down the house as they previously may have thought. It concluded that although the fire has caused structural damage to a limited number of studs on the left sidewall of the building, the structural integrity of the building has not been compromised. The report went on to say that it is not necessary to demolish the entire building as the damaged studs can be independently replaced or re-enforced without the reconstruction of the majority of the structure. Mrs. Newcomb went on to say the construction office has been given a list of items that need to be done. The people helping them have contacted two companies and they may be able to get one of them to donate their work and, possibly, the materials. If permits are taken out and work is started, she wants to know if she can be the one to report to the committee. Certainly, if no work is started, she will make sure the Dehates come in. Mayor Dickinson asked if there had been any complaints from the other residents and was told there had been none.

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. Voice vote: all yes.

C. Tax Collection Software for Online Credit Card Payments

- **Sharon Deviney, Tax Collector**, told the committee that Edmunds and Associates, the software provider for the tax office, has a new program whereas the residents can go online and acquire information about their

taxes. They can also make credit card payments, but only through this program. We will not accept the credit cards in the office but the resident can go to our website and make the payment via the new program. There is a convenience fee for this but it is not charged to the township. The resident is given the information before they actually process the payment. Another part of the program is that residents can pay online with checks. There is also a nominal fee for this which is charged to the owner. Committeeman MacLachlan asked if the credit card processor charges the township anything and was told that the only charge the township incurs is a yearly fee of \$800.00 by Edmunds for the program. Ms. Deviney said the residents and also taxpaying services will be able to go to our website and obtain tax information at any time. Mayor Dickinson asked if other departments would be able to be paid by credit cards through this and was told that it is only for the Tax Office. Ms. Deviney stated that she wanted to receive the approval of the committee before she proceeded any farther with Edmunds. The committee took a voice vote and it was approved unanimously.

D. Richard May Tree Service - Proclamation for Donated Tree

- Mayor Dickinson read the proclamation recognizing Richard May for donating the five trees that are now growing in front of the township building.

Motion to receive and file the proclamation: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes.

7. RESOLUTIONS

- A. Resolution 2011-38-1 – Resolution to Apply for Community Development Block Grant for the Year 2011**

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

- B. Resolution 2011-39-1 – Resolution Appointing Personnel for the Winter Recreation Program – John McLean and Sharon Kelley**

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

- C. Resolution 2011-40-1 – Resolution to Authorize Execution of Right of Way Agreement Between Hainesport Township and Fiber Technologies Networks, LLC to Permit the Installation, Use and Maintenance of Telecommunications**

Facilities within Public Rights-of-Way for the Purposes of providing Telecommunications Services

- **Solicitor Costa** explained that other companies have done this in the past which we granted before. We really have no choice but to grant permission, because the way New Jersey Board of Public Utilities processes this is that the company first must ask for permission, even though it is guaranteed success. Then they agree to pay any legal or engineering costs we may have in overseeing the process of laying these telecommunications lines on existing poles. So the township won't lose any money in the process and the agreement specifically states our professional fees will be covered in the event we have any fees. We will probably have special engineering oversight fees. This is actually a routine process in New Jersey.

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

- D. **Resolution 2011-41-1** – Resolution Appointing Registrar – **Paula Tiver**

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

- E. **Resolution 2011-42-1** – Resolution to Appoint Recreation Commissioners **Paula Tiver and Anthony Porto**

F.

Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. Committeeman Fitzpatrick and Mayor Dickinson voted yes. Committeeman Porto abstained.

- G. **Resolution 2011-43-1** – Resolution of the Township of Hainesport Authorizing Transfers of Funds During the Last Two Months of the Current Fiscal Year and the First Three Months of the Subsequent Year

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

- H. **Resolution 2011-44-1** – Resolution Deeming Certain Escrow Accounts Uncollectible

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

- I. **Resolution 2011-45-1** – Resolution Authorizing the Appointment of a Full Time Employee in the Public Works Department – **Richard Skeenes**

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

- J. **Resolution 2011-46-1** – Resolution Commemorating the Burlington County Municipal Joint Insurance Fund’s 20th Anniversary

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

8. **CORRESPONDENCE**

- A. **Letter of Resignation** – from Nick Mackin of Public Works.

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

- B. **Park Development Grant Award**

- **Mr. Tuliano** explained that Hainesport Township was one of a number of municipalities that received the maximum grant of \$250,000.00 from Burlington County. The grant application was to complete the walking trail already started, put lights out there so people could walk more safely in the evenings and to connect the township’s walking trail with the county’s walking trail in Long Bridge Park. Hopefully, we will be ready to go out to bid before spring to get the project completed. The county allows two years to complete the project but we are hoping to finish it before the end of the year. It will depend on how quickly we can get approval from DEP to cross the wetlands and also how fast the planner and engineer can complete their work so we can get the bids and get the project moving.

- C. **Energy Audit Grant Application**

- **Mr. Tuliano** applied for this a couple months ago. Because of circumstances it wasn’t brought before the board. Everything has been completed and we just have to wait to see if we receive approval.

- D. **HITCO Extension Letter from New Jersey Department of Environmental Protection (NJDEP)**

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

9. **COMMENTS FROM THE PUBLIC**

- **Kent Pipes, 35 Mount Laurel Road** – congratulated Mayor Dickinson for his appointment. Every year he comes to invite the committee members to the Rancocas Valley Clergy Association Annual Martin Luther King activities which are held the weekend of the national holiday. This year it is January 17, 2011 and he has invitations of the three different events for them. There is a new event this year at the firehouse in Hainesport. Because of the renovations at the Second Baptist Church in Mount Holly the Sunday evening Ecumenical worship service will be at St. Paul's Lutheran Church and the Monday morning breakfast will take place at Christian Faith Assembly in Hainesport. He hopes the committee members will make their presence known, support these activities in our community and honor Dr. King and his work. Mr. Pipes complimented the public works men and the good work they did in the last snow storm and also how well they do picking up leaves and branches. Mr. Pipes runs a non-profit organization and they are concerned about energy usage that makes houses unaffordable. They are an energy auditing group that have become certified in weather sealing, air sealing etc. and are now offering those services to people anywhere in the state of New Jersey. He would like, if the committee would consider it, to talk to them about how this process could be promoted in Hainesport. There are up to \$4,000.00 in grant monies available to residents regardless of their income. Mayor Dickinson told him the committee would discuss it with the administrator.
- **Pete Ruble, 2525 Creek Road** – congratulated Mayor Dickinson and Deputy Mayor Porto on their appointments. Mr. Ruble asked for clarification that Dawn Emmons is Dawn Robertson and was told she is the same person. He also asked if Ms. Emmons was authorized to sign checks in the township and if she is related to someone in the township and again was told yes. Mr. Ruble asked if anything more had been done as far as checking out a three way stop sign at Masons Woods Lane and Creek Road. Mayor Dickinson told him the engineer would be out to look at it. Mr. Ruble stated that putting a speed hump there would be defeating the purpose of slowing some people down. He said they have found ways to compromise the speed humps. He thinks it would be more dangerous. Mr. Ruble asked how many requests there were for speed humps and was told about ten. He also asked if anyone had asked for any more on Creek Road and was told no. He went on to ask about the campaign material put out during the last election. After many comments and questions concerning many things, Mayor Dickinson told him he would look into the various items and would get back to him. Mr. Costa explained to Mr. Ruble the campaign literature is not committee business; Mr. Ruble can offer his opinion, as long as it is not belabored, but there is no obligation to address campaign issues at a public meeting. Mr. Ruble reminded the committee about a petition with names concerning the stop sign issue at the aforementioned intersection. He also said he hopes more people

would come out to the meetings to see how they are run and is looking forward to an improvement.

- **Fred Glasgow, 2711 Creek Road** – mentioned that when he had requested a CD from the October meeting there were 20 minutes missing. During the meeting there was a resolution for Ragan Design in the amount of \$12,000.00 and he wanted to know if it was a change order. Mayor Dickinson answered he thought it was but would look it up and have an answer for the next meeting. Mr. Glasgow asked if recycling buckets could be purchased with the Park Development Grant and put out in the park. Committeeman Porto told him that was already in the plan for the park improvement; it was planned even without the grant. There will be trash and recycling cans put out along the paths and in the park. Mr. Glasgow asked if the presentation by Ragan Design for solar panels that was scheduled for the cancelled December meeting would be re-scheduled. Mayor Dickinson said he believed it would be. Mr. Glasgow commented about the new DEP law for electronic waste recycling and asked if Hainesport would have a drop off site for the residents, possibly at the Public Works garage. Mr. Tuliano said it is already being addressed and there will be one. Mr. Glasgow asked if the money owed to the township by HIRR waste transfer station has been repaid. Mr. Tuliano referred the question to Mr. Costa who said the money that is owed either has been or is in the process of being collected. He went on to say that there are some gray areas that have not been resolved. Mr. Glasgow said when he OPRAs the amount he sees that the only money paid is for the construction debris and nothing for the contaminated soil that was brought in. Mr. Costa said that is an issue and may go to litigation.
- **Pat Mackin, 116 Masons Woods Lane** – asked if there could be a solar panel stop sign placed on Creek Road at the intersection at Masons Woods Lane and possibly one at the Creek and Mt. Laurel Roads intersection. She knows it can't be put on the county part of Mt. Laurel but wondered if one could be placed on Creek Road. Mr. Tuliano told her the location is controlled by the State of New Jersey; the stop sign there now is on township property but the state controls it because of the jug handle. Mrs. Mackin said she had been at an open meeting in Florence and said they have 35 volunteer committees there. She suggested the committee look at their website to see the input from the people. She said how easy the website was to navigate and thought maybe whoever does our website might want to check it out. Mayor Dickinson said they were already looking at different websites.
- **Katherine McNelis, 407 Bischoff Avenue** – said she had been to a meeting and found out if she wanted to talk about the moon or anything else she was allowed to do so. She also wanted to know if everything that was mentioned in the campaign literature was all lies. Mr. Costa said the

committee would not discuss pure political issues that come before them; campaign literature is not appropriate to discuss at a public meeting. Ms. McNelis said that is township business for the public. Mr. Costa said she could say what she wants but the committee members do not have to address it. She said she has been told if she is stopped from talking she could bring a lawsuit. Mr. Costa said no one is stopping her from talking and she then said she wasn't talking to him; she was talking to the mayor.

10. **COMMENTS FROM THE ADMINISTRATOR**

- **Mr. Tuliano** had no comments tonight.

11. **COMMENTS FROM THE SOLICITOR**

- **Mr. Costa** congratulated Mayor Dickinson on his appointment and said he is sure he will do a fine job. He also wished everyone a Happy New Year.

12. **COMMENTS FROM THE COMMITTEE**

- **Committeeman Fitzpatrick** complimented Public Works on the fine job they did in the last snow storm. He said it is a new year, we have a new mayor and hopefully we will treat each other with respect and get along.
- **Committeeman Porto** congratulated Mayor Dickinson on his appointment and said he is pleased to see we have been able to secure such a large grant for our parks project which is still underway. We look to have one of the best parks in the area that is part of a beautiful parks system going from the state park that can be accessed from either Rancocas Avenue or Deacon Road to our park. We also have Long Bridge Park that can be accessed from the by-pass or Deacon Road. Committeeman Porto said we have a wonderful park system and he thinks it will be made even better and he is sure the residents will be pleased with what we put together in this coming year with the construction of the walking paths and the completion phases of the park project.
- **Committeeman MacLachlan** said the election is over and if anyone wants to talk to him about the campaign literature after the meeting he will be happy to do so. He thinks it is inappropriate to bring this up at a public meeting. There have been two recounts now and we need to put it to rest.
- **Committeeman Boettcher** has no comment tonight.
- **Mayor Dickinson** congratulated Committeeman Porto on his appointment of Deputy Mayor. He thinks it will be an exciting year; we have a very good crew on the committee. He thanked Public Works for the work on the last storm.

Mayor Dickinson said the five minute limit that has been in effect in years past is over. He said the public's voice is what makes the township work.

13. **BILL LIST**

Motion: Committeeman MacLachlan. Second: Committeeman Porto. Voice vote: all yes.

14. **EXECUTIVE SESSION**

A. **Resolution 2011-47-1** - Resolution to Enter into Executive Session - Land Acquisition

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

There will be a five minute recess and then the Executive Session will be convened.

15. **ADJOURNMENT @ _____pm.**

Motion: Committeeman

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
February 8, 2011
7:30 P.M.**

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1. **CALL TO ORDER** – by Mayor Michael 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 Reorganization Minutes of January 4, 2011**
Motion: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
 - B. **Approval of Regular Committee Minutes of January 4, 2011**
5. **REPORTS**
 - A. **Tax Collector** – December, 2010, 4th Quarter, 2010, Year End 2010, January, 2011
Motion: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
 - B. **Code Enforcement** – December, 2010, January 2011
 - C. **Fire Official** – December, 2010, January, 2011
 - C. **Construction** – December, 2010 and Year End, 2010, January, 2011

Motion to accept the remaining reports and spread the Tax Collector's report over the minutes: Committeeman Boettcher. Second: Committeeman Porto. All yes.

6. **DISCUSSIONS/PRESENTATIONS**

- A. **Hainesport School** – Class of 2011 – Chris Thomas, co-chairperson of the Semi-Formal Dance introduced Matt Thomas, Justin Marshall, Elia Palmese, Eric Johnson, Chris Glasgow and Kyle Beloria, students of the Class of 2011. These students presented a letter to the committee, signed by all of the Class of 2011, requesting the committee match the funds they raise in their spring car wash. Mayor Dickinson asked Mr. Thomas to talk for a few minutes explaining some of the costs there will be for the dance. After some discussion **Committeeman Porto made a motion to approve the request to match the funds raised by the car wash, not to exceed \$1,000.00.** The money will be taken from the Recreation Fund. **Second: Committeeman Fitzpatrick. All yes.**
- B. **Ordinance Review** – Mike Wisnosky from Ragan Design Group/Township Planner and Kathy Newcomb, Zoning Officer of Hainesport Township – came before the committee to discuss some changes, amendments and/or additions to the Land Use ordinances. They presented several items and explained many reasons for their requests to make the changes or amendments. They also presented new requests for ordinances that will help the residents and the township save money and time when they come to the Zoning Officer with requests for buildings and alterations. After a lengthy presentation Mr. Wisnosky said he and Mrs. Newcomb would go back and “tweak” some things and be prepared to come back to the committee and present the completed changes and additions to the ordinances for the March township meeting. Also discussed is a proposal to change the designation of the Industrial “I” Zone to Business Park Zone.

7. **RESOLUTIONS**

- A. **Resolution 2011-48-2** – Resolution Authorizing Issuance of Raffle license to Hainesport Educational Foundation, Inc.
Motion: Committeeman Porto. Second: Committeeman Fitzpatrick. All yes.
- B. **Resolution 2011-49-2** – A Resolution to Award a Professional Services Contract for Bond Counsel – **Philip Norcross of Parker McCay Law Firm**
Motion: Committeeman Boettcher. Second: Committeeman Porto. All yes.

- C. **Resolution 2011-50-2** – A Resolution to Award a professional Services Contract for a General Planner – **Michael Wisnosky of Ragan Design Group**

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

- D. **Resolution 2011-51-2** – Resolution Authorizing Aerial Larvicide Application

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

- E. **Resolution 2011-52-2** – A Resolution to Award a professional Services Contract for Township Auditor – **Michael Cesaro of Bowman & Company**

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

- F. **Resolution 2011-53-2** – Resolution approving Expenditure of COAH Funds to Purchase COAH Unit Located at **100 Tartan Lane**

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

- G. **Resolution 2011-54-2** – Resolution Authorizing release of Performance Bonds for **Diamantis Restaurant**

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

- H. **Resolution 2011-55-2** – Resolution Awarding a Contract for Animal Control Services – **M&R Wildlife Removal, Inc.**

- **Mr. Tuliano** said he had been contacted by the Board of Health and informed that the former animal control officer had an arrangement with someone whereas when he was not available to go out they would cover for him. The Board of Health said that was unacceptable with them and that instigated this new appointment. Committeeman MacLachlan had several questions about how the township could recoup their losses when animal control has to go out several times for the same dog and was told that without more research and ordinances the township could not do so. There was more discussion concerning the cost of picking up animals and how the township is charged. The cost of this contract will be \$150.00 per month.

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

- I. **Resolution 2011-56-2** – Resolution to Accept Funding from the New Jersey Clean Energy Program

- **Mr. Tuliano** explained there was a grant submitted by the township and that triggered an energy audit of the building. The end result of the audit is that there is \$42,000.00 available for energy upgrades and when the resolution is approved the work will start in the near future.

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

8. **BUSINESS**

A. **Approval for Junk Yard License**

2011-001 – AmeriCycle, Inc.

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

B. **Approval for Mobile Home Park License**

2011-001 – Goss Mobile Home Park

2011-002 – Russlyn Mobile Home Park

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

C. **Approval for Video/Pinball Amusement Machine License**

2011 – 001 – Dunleavy’s Restaurant

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

9. **CORRESPONDENCE**

A. **Letter from New Jersey Department of Transportation** – Phillips Road

Mr. Tuliano explained this is the third year the township was denied a grant for improvement on Phillips Road.

B. **Elected Officials Seminar** – Burlco JIF. The seminar is scheduled for March 2, 2011 in Mount Laurel.

C. **Letter from Alaimo** – Proposed Stop Sign – Creek Road/Masons Woods Lane
The letter from the Alaimo Group stated the stop sign requested does not meet the criteria for a mid-block stop sign.

D. **Thank you card for Public Works** – Snow Removal

- E. **Thank you e-mail for Public Works – Snow Removal**
- F. **Thank you e-mail for Public Works – Snow Removal**
- G. **Thank you e-mail for Rich Skeenes, Public Works – Snow Removal**
- H. **Thank you e-mail for Public Works – Snow Removal**

**Motion: Committeeman Boettcher. Second: Committeeman MacLachlan.
Voice vote: all yes.**

10. **COMMENTS FROM THE PUBLIC**

- **Keith Peacock, 10 Heather Lane** – asked if Ms. Newcomb, the Zoning Officer is the final answer when she denies a zoning application. Mr. Tuliano explained that the residents have a right to appeal Ms. Newcomb’s denial to the Land Use Board. Mr. Peacock complained about people using 25 MPH residential streets to access commercial properties. Mr. Wisnosky told him the township does not have the authority to stop anyone from doing so. Mr. Peacock asked if Public Works receives training on how to remove snow and was told they did. Mr. Peacock went on to complain about how the snow was plowed on his road during the last heavy snow storm. He stated he was dissatisfied with the way it was done and thinks the Public Works employees need more training. Mr. Peacock also complained that the snow plow was on his street 19 times and didn’t do a good job. Mr. Tuliano responded that public works plowed snow for 17 straight hours, and did a good job as far as many residents were concerned. Mr. Tuliano also questioned the comment regarding counting a snow plow 19 times on one street.
- **H Krollfeifer, 23 Easton Way** – commented that he feels that people who come out and volunteer their time and then leaves an organization or a committee should receive a thank you letter for their time and service to the Township.
- **Catherine McNelis, 407 Bischoff Avenue** – asked if there was a way people could be ticketed when they leave their vehicles on a snow covered roadway. She mentioned there were several incidences whereas, during the last heavy snow, some cars were left on the road and it created problems. Mr. Tuliano said there are ordinances that cars should be removed, but it’s difficult for the State Police to enforce because they are very busy with snow related problems. There was discussion on how this should be addressed in the future, possibly by towing the vehicles away. Mr. Tuliano said he would look into the situation. Mrs. McNelis asked if the committee would have Alaimo Group check out the various stop intersections on Easton Way to determine if they meet the criteria. She believes some will not qualify.

- **Pete Ruble, 2525 Creek Road** – also brought up the letter from Alaimo Group. He gave some figures about how many cars travel on Creek Road and said that should be addressed along with the safety aspect.
- **Mary Jane Bennett, 1606 Albert Street** – said she has a similar situation with a car being parked in front of her house since January 18, 2011. She said she also has a handicapped parking spot in front of her house and it has never been painted with the appropriate markings. Mr. Tuliano commented that he is aware of her situation and it will be handled when the weather clears. They went on to talk about the problem with the parked car and how it should be handled.

11. COMMENTS FROM THE ADMINISTRATOR

A. EECBG - \$50,000 Additional Grant

- **Mr. Tuliano** said the township has applied for a grant that is similar to the clean energy grant approved tonight. The latest grant will focus on the Street Community Center.

B. Snow Removal Update

- **Mr. Tuliano** commented that the heavy snow discussed earlier caused a great deal of work for the Public Works crew. He said it normally takes about 12 hours to plow the entire Township, but this storm took 17 hours to clear the roads with extra people brought in to help plow.

C. Budget Update/Meeting

- **Mr. Tuliano** said the committee needs to decide when they want to have the budget meeting. He reminded everyone about the 2% budget cap mandated by the governor. He said he can say, without going into specifics, the budget is below the mandated cap. Because the governor has not provided any figures yet on state aid our budget cannot be finalized. If state aid is decreased we have to look at the budget again. However, it appears we are in very good fiscal condition.

D. Solar Subcommittee

- We have embarked on a project to take advantage of solar energy. Mr. Tuliano has some recommendations, research and analysis from Rick Ragan. He and the mayor had talked last week about involving a couple members of the committee on the trail to solar energy. He is asking the committee to form a subcommittee and call it the Solar Subcommittee so that they could sit down with Rick and other vendors to get this accomplished.

E. Field Maintenance

- **Mr. Tuliano** needs the committee's approval to move forward with field maintenance and bid specs. He has a copy of the bid specs if anyone would like to read them. He would like the approval to move ahead and get the specs out to bid. If authorized to move forward we should be in a position to award a contract at the next meeting.

Motion: Committeeman Boettcher. Second: Committeeman Porto. Voice vote: all yes.

- **Mr. Tuliano** noted that the meeting room had recently been painted and the color of the paint brings out the letters on the wall. He also mentioned that one panel on the dais had always been a different color and H. Kröllfeifer came in, worked his magic, and managed to make the odd panel the same color. Everyone commented on how much better it looks.

12. COMMENTS FROM THE SOLICITOR

- **Mr. Costa** had nothing to say this evening.

13. COMMENTS FROM THE COMMITTEE

- **Committeeman Fitzpatrick** – had nothing to say tonight.
- **Deputy Mayor Porto** – commented about the dog issue with repeat offenders; if we get the names of the people who have the animals that run loose and they don't have a dog license, we could send them a bill or fine them for not having the license up to date. Mr. Porto said as for the snow removal, he thinks the Public Works men did a great job. In Mt. Holly, it took 3 days to see black top on Washington Street and that is a main road. This was a very bad storm and the township roads were cleared very well. He is also very glad to hear we are receiving the grants for the solar efforts and that we are starting a subcommittee for solar energy. We could probably utilize Federal or State funds through that subcommittee.
- **Committeeman MacLachlan** – has been watching how the Public Works men are managing the leaf pickup and they are doing as well as they can with the equipment they have. He said he has learned that there have been a large number of injuries and even some deaths while men have operated the type of machinery that our men are using now. Mr. MacLachlan said he thinks we should check out the trucks available that have a single arm and can be operated by one person. He had some specs developed for a dual purpose leaf collecting truck that can also serve as a fourth snow

plow. He left them with Mr. Tuliano and asked if the other committee members would check out the information. Possibly the money is in the Capital Budget. Mr. Tuliano said he appreciates the comments from Mr. MacLachlan and yes, the Capital Budget is where they would have to look for the money.

- **Committeeman Boettcher** – also stated that the Public Works men did a great job with the snow removal. Mr. Boettcher said that FEMA notified the township that we will be reimbursed for the December snow storm. He also said we should be reimbursed for one or two more.
- **Committeeman Fitzpatrick** - thanked Mr. Krollfeifer for the work he did on the dais.
- **Mayor Dickinson** – commented that the calendars have been mailed and should be received shortly. He also said that in the calendar there is a note for the people to go on the township website in order to sign up for the newsletter. There will also be a link where you can sign up for email and to make comments relative to the township. Mayor Dickinson said that it is important to communicate during a snow storm; many residents called and notified the township about certain areas and roads that needed more attention. There were problems with the trucks but the guys did a great job. He thanked Mr. Tuliano and the Public Works men.
- **Committeeman Boettcher** – said when there is a snow storm and someone has an emergency all they have to do is call the emergency squad and there will be snow plows there in a matter of minutes to clear the way for the emergency squad or ambulance.
- **Deputy Mayor Porto** – told Mr. Wisnosky that the State Supreme Court recently handed down a decision stating certain restrictions on yard signs are unconstitutional as the restrictions may interfere with freedom of speech. There are groups challenging the restrictions. Therefore, the Township needs to be aware of these changes to avoid problems in the future.

14. **BILL LIST**

Motion: Committeeman Boettcher. Second: Committeeman MacLachlan. Voice vote: all yes.

15. **EXECUTIVE SESSION**

- A. **Resolution 2011-57-2** - Resolution to Enter into Executive Session to discuss land acquisition. A property owner offered to sell a parcel of land adjacent to the municipal complex.

**Motion: Committeeman Boettcher. Second: Committeeman Porto. Voice vote:
all yes.**

16. **ADJOURNMENT @ _____ P.M.**

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
MARCH 8, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 8, 2011 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 Michael 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 February 8, 2011**
Motion: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
5. **REPORTS**
 - A. Tax Collector – February, 2011
Motion to accept the reports and spread the Tax Collector’s report across the minutes: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
 - B. Code Enforcement – February, 2011
 - C. Fire Official – February, 2011
 - D. Construction – February, 2011
Motion: Committeeman MacLachlan. Second: Committeeman Fitzpatrick.
All yes.

6. DISCUSSIONS/PRESENTATIONS

- A. **Ragan Design – Solar Power** – Rick Ragan gave a presentation about solar power and told the committee about some opportunities available to the township for saving with solar power. Mr. Ragan stated that Ragan Design is an interdisciplinary firm, does architectural planning and has been working in the solar power field for three and a half years. He explained the various financial incentives that are available to public sectors such as Hainesport Township. One is the New Jersey program, which is called “SRECS”; Solar Renewal Energy Credits. SRECS is the result of the state saying that we will reach 20% of the energy demand by 2020 and electric companies that do so will pay the state a penalty. In order for them to avoid the penalties they are giving credit to anyone that installs solar energy on their roof. Another incentive is a small grant from the Energy Efficiency and Conservation Block Grant for local government up to \$50,000.00. Mr. Ragan went on to explain some of the things the township could do to help with solar energy and how to even be a provider of solar energy. He said if the township put solar panels on the municipal building we could possibly generate 80% of our electric energy for the township building. If we put more panels in other areas near the municipal building it would even be better. Mr. Ragan gave the committee members numbers his company had calculated that would be cost effective to the township. He also suggested some various types of solar panels that would, again, be more cost effective. The committee members asked Mr. Ragan questions and discussed the possibility of bringing in solar energy to the township. The committee thanked Mr. Ragan for his presentation.
- B. **Park Development Grant – 2011** – Mr. Tuliano reported that within the last week the county had advertised for the 2011 Municipal Park Development Program which is the same type of grant the township received several months ago for \$250,000.00. He needs the committee’s authorization to move forward with this grant as the application deadline is March 30, 2011. Because of that short window the township needs to develop a project for the grant application. Mr. Tuliano asked for suggestions of ideas or possibly we could continue with the project from 2010. The 2010 project is providing some solar lighting along the walking trail, extending the walking trail down Deacon Road and over to the school and across the wetlands and also linking up with the county’s Long Bridge Park. After some discussion the committee agreed to continue expanding the municipal park. Mr. Tuliano said we should be in a position to go out to bid for the current park project in April or May and be able to award the bid at the following meeting. Hopefully we can get that construction going; get the lights up, get the connection to the county park and move on with the next phase. If we are awarded the 2011 grant, that should be the last phase for this particular project.

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

7. **ORDINANCE**

- A. **Ordinance 2011-1-3** – Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Amending the Township’s Development/Zone Code Establishing a Business Park Zone (**Introduction and First Reading**)
Mr. Tuliano said that based on the presentation by Mike Wisnosky and Kathy Newcomb at the last meeting, these ordinances are for introduction and the public hearing will be on April 12, 2011.

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

- B. **Ordinance 2011-2-3** – Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Amending the Township’s Development/Zone Code (**Introduction and First Reading**)
Mr. Tuliano said all of the land development ordinances are based on the presentation at the last meeting and there will be a public hearing April 12, 2011. The ordinance will be available to the public after this evening.

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

- C. **Ordinance 2011-3-3** – An Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Establishing Regulations and Permit Requirements for the Placement and Use of Charitable Clothing Bins within the Township (**Introduction and First Reading**)

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

- D. **Ordinance 2011-4-3** – An Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Establishing regulations for the Placement and Use of Bulk Storage Containers within the Township (**Introduction and first Reading**)

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

- E. **Ordinance 2011-5-3** – Calendar Year 2011 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) (**Introduction and First Reading**)
It was explained this is an annual ordinance.

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

8. RESOLUTIONS

- A. **Resolution 2011-58-3** – Resolution for Deferred School Taxes

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

- B. **Resolution 2011-59-3** – Resolution to Award a Professional Services Contract for General Engineering – **Richard A. Alaimo & Associates**

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

- C. **Resolution 2011-60-3** – Resolution Consenting to a Master Shared Services Agreement with the Burlington County Central Communications System

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

- D. **Resolution 2011-61-3** – Resolution Appointing Contact Person for the Employment Practices Liability Helpline Burlington County Municipal Joint Insurance Fund

Mr. Tuliano explained that previously the Joint Insurance Fund allowed two municipal officials to be contacts, one of which was the township solicitor. This year the JIF will not permit the township solicitor to be a contact, so Mr. Tuliano and Mayor Dickinson are now the contacts.

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

- E. **Resolution 2011-62-3** – A Resolution to Award a Contract for Lawn Care and Field Maintenance at the Municipal Complex

Mr. Tuliano explained that the bids were opened today and the low bid was reviewed by Ragan Design. Because some documents were omitted from their bid package and the next lowest bidder did provide all of the documents, to include surety bonds, the bid was awarded to South Jersey Turf Consultants at a cost of \$29,300.00. Mr. Wisnosky stated that Ragan Design had stipulations in the bid package that would insure the township that the fields would come back and be as lush as possible. Some of the stipulations included the contractor having to assess the bare spots on all the fields and repair them immediately; before any application of any kind is applied he must do a soil analysis and then consult with the township to insure that whatever application is used it is proper and reflects the soil condition. Also, the contractor will be required to make certain the fields are aerated several times a year.

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

- F. **Resolution 2011-63-3** – A Resolution Authorizing Submittal of an Application to the County of Burlington for a Park Development Grant
Mr. Tuliano explained that this is the grant they had previously discussed.

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

- G. **Resolution 2011-64-3** – Introduction of 2011 Municipal Budget
Mr. Tuliano noted that the budget, as presented to the committee tonight, allows for a local increase of $\frac{3}{4}$'s of a cent. This is below the 2% cap mandated by the state and is a \$10.00 per year increase for the average home which is assessed at \$163,000.00. The public hearing on the 2011 budget is April 12, 2011.

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

9. **CORRESPONDENCE**

- A. **2010 Census**
It was stated that the population of Hainesport Township is approximately 6,000 plus or minus.
- B. **Certificate of Achievement** – Hainesport Employees
- C. **Letter from J. A. Montgomery, Risk Control - JIF Safety Incentive Program Awards**
- D. **Letter from New Jersey Department of Transportation** – 2011 Bikeway Program
This is a letter from the state advising the township we did not receive the Bikeway.
- E. **Letter from Hainesport Township School** – Thank you for the Donation
Motion: Committeeman Porto. Second: Committeeman Boettcher. All yes.

10. **COMMENTS FROM THE PUBLIC**

- **Fred Glasgow, 2711 Creek Road** – asked that since the zoning will be changed in some areas, will the residents be notified of the changes by certified mail. Mr. Wisnosky said the ordinance that changes industrial districts to business park districts, under the land use law, requires the township to notify all the owners whose properties are being re-zoned along

with property owners within a 200 foot area of the new zoning districts. He also explained the existing uses of the industrial park were not changed, but enhanced. These enhancements will allow other users to come into the park. Office users or permitted industrial users who also have offices will now be allowed to operate in the park and be able to have people come in and see their product. What has been done is to add language that is more business friendly. All the existing permitted uses that are in effect now will continue to be permitted under the business park zoning ordinance. Mr. Glasgow asked if the township website will be updated soon and Mayor Dickinson said they are working on bringing someone in to do just that. Mr. Glasgow asked if the money owed to the township by the HIRR has or will be paid. Mr. Costa answered that the township is subject to federal laws because the area of railroads is pre-empted. He explained that the township has an agreement with the railroad today which provides for certain host fees. HIRR has advised the township that if litigation is started they will destroy the contract and stop paying the township any host fees whatsoever. It turns out they have some law to support them. According to the statutes, the host fee is only applicable where the railroad is included within the county solid waste management plan, and they are not at this time. Therefore, there is a certain question as to whether or not we could collect any money if the contract is destroyed. For that reason, there are a lot of issues to contemplate; if we enter into litigation would it hurt the township or not by causing very expensive litigation fees? Down in Camden County they spent over a million dollars in legal fees with the railroad. We could spend that much in fees and lose, and also lose any host fees we are collecting now. The matter is being reviewed and Mr. Costa said he can't say whether or not it's worthy of litigation or pushing the issue. Mr. Glasgow said he knows HIRR is not in the solid waste management plan with the county and they do not have DEP protection permit to operate so the township is being held hostage. Mr. Tuliano answered the railroad is not working without permits, but they are lacking some documents and the DEP has authorized them to operate until the permit issue is resolved.

- **Catherine McNelis, 407 Bischoff Avenue** – stated it is nice for the committee to give a donation to the school, but she got upset with that decision. She said the residents pay taxes and those taxes go toward the school and they vote as to what is paid to the school. She doesn't think the committee had the right to decide what extra money should go to the school. Mr. Porto explained that the money did not come from the tax levy directly, but came from the Recreation Fund. The funds are often generated through fees that parents pay, donations from developers, and bus programs that are set up through out the year. The recreation fund is set to help promote recreation. The program provides recreation for the residents and children of the community with events and the bus trips. This is not a tax levy increase but money donated from the Recreation Commission. Mr. Tuliano also commented to Mrs. McNelis that this may not even end up being \$1,000.00 because it will be a match to what the 8th grade class earns from a car wash

and it is not going to the school itself, but towards the 8th grade class for their annual dinner dance. Mr. Porto said we are not diverting money from our general budget and taking tax levy and putting it in the Recreation Fund. Mrs. McNelis said she did not understand it was from a different fund at first but she does now.

- **Ryan Smith, 1007 Deacon Road** – commented on the excessive amount of high speed travel of motor vehicles on Deacon Road. He said with the increase of pedestrian traffic, bike riders and people pushing strollers along the road to and from the municipal park and Longbridge Park he is concerned about the potential for a serious accident. Mr. Smith said he is concerned about the danger of reckless driving along Deacon Road. Mr. Wisnosky said that the township committee recognized the risk probably three or four years ago and instructed Ragan Design to propose a bike path trail along Deacon Road. He said, hopefully, by August the residents should see a path, set off Deacon Road, for people to walk, jog or bike safely. Mayor Dickinson commented he thinks Mr. Smith is concerned about the speed issue and Mr. Smith agreed. He said the straight away from the corner is a drag strip and if a young child is on their bike when someone is speeding and gets run over, the sidewalk is irrelevant. He asked if a speeding ticket has ever been issued on Deacon Road in the last five years and was told we do not have access to that information; the State Police do. Mayor Dickinson said we would bring the issue to their attention and also maybe we could get a representative to come to a meeting to answer some questions. Mr. Smith brought up the possibility of speed humps and it was stated there had been a request in the past and at the moment they are not in the budget. Mr. Tuliano will be the one to contact the State Police concerning the issue.
- **Lela Gilmore, 101 Devon Lane** – said she heard rumors that the property next to The Glen at Masons Creek had been re-zoned to allow different kinds of businesses to go in there. She said her main concern is if it doesn't have to go before the Planning Board, who would handle the landscaping that would need to be done to protect the area and the neighbors. Mr. Wisnosky said he would be the one to do just that, and if she had any questions she could call him anytime. Mrs. Gilmore said her other concern is with the COAH housing that is attached to the development; some of the units are empty and are falling into disrepair and need some maintenance. She asked if the township has been able to sell any of the units that are empty. Mr. Tuliano said two of the units are not owned by the township and they can do nothing with them. People that are interested in the unit owned by the township are having the same problem that most sellers are dealing with; they cannot buy anything until their present homes are sold. The township has advertised the properties recently but has not been able to sell them. People are interested in renting, not buying right now. There was more discussion about the properties and what else can be done to have them better maintained. Mr. Costa, who is working on obtaining the empty unit for the township, asked her if she would

like to be the person from the Glen that he would contact to keep them informed concerning the situation and Mrs. Gilmore said yes.

11. **COMMENTS FROM THE ADMINISTRATOR**

- A. **Energy Audit Update** – Mr. Tuliano said the township was awarded the Clean Energy grant of \$50,000.00 for energy updates for the municipal building. The updates came to \$42,000.00 to \$43,000.00 and we are waiting to be scheduled by the company that was hired by the state to install the equipment. He spoke to them last week and they think it's about 2-3 weeks before they can schedule the township to get the work done.
- B. **Direct Energy Project** – Mr. Tuliano said he has been working on a project to find ways to reduce the electric bills for everything the township is responsible to pay. We pay electric for all the buildings the township owns, the street lights, the traffic lights on Route 38 and also the traffic light in the middle of town. There are some companies, such as Direct Energy, that offer electric to the user, in this case Hainesport Township, at a cheaper rate than the energy supplied to us by PSE&G. There was an analysis completed and it was discovered that the township could save some significant money in a year if we include everything. Mr. Tuliano explained that PSE&G charges us 13 cents a kwh and Direct Energy would charge 11 cents kwh. For this building alone we could save about \$100.00 a month and if we include all that we are responsible to pay, we have the opportunity to save additional money. The township could get involved in this on a twelve month basis; there is no real commitment. His recommendation is to explore a contract with Direct Energy because they have the lowest price. We would not be locked into a long term agreement that may increase the cost after a period of time; we could void the contract with a 30 day notice. There was some discussion and it was decided to give Mr. Tuliano permission to go forward with the project.

Motion: Committeeman Boettcher. Second: Committeeman. Voice vote: All yes.

12. **COMMENTS FROM THE SOLICITOR** – Mr. Costa: No Comment.

13. **COMMENTS FROM THE COMMITTEE** –

- **Committeeman MacLachlan:** No Comment.
- **Committeeman Boettcher:** No Comment.
- **Committeeman Porto** announced the Hainesport Township Recreation is holding the annual Easter Egg Hunt on the baseball field behind the municipal building on April 9, 2011 at 12 noon. It is open to all Hainesport children

from the ages of one through ten. He also mentioned that anyone who would like to get involved with the Hainesport Township Rancocas State Park clean up like they had last year could go to the entrance of the State Park at Rancocas Avenue. It will start at 9 in the morning on April 2, 2011. He encouraged people to participate.

- **Mr. Tuliano** asked for the committee's approval to bring back the Geese Chasers to get rid of the Canada geese again.
Voice vote: All yes.
- **Committeeman Fitzpatrick** – thanked the Hainesport Township PTO for putting together the Mardi gras event for the township and the school. He said it was nice to see all the individuals from our local area get together for some adult fun. He said they did a great job.
- **Mayor Dickinson:** No Comment.

14. BILL LIST

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

15. EXECUTIVE SESSION

- A. **Resolution 2011-65-3 - Resolution to Enter into Executive Session - Land Acquisition**
Mr. Tuliano said there is one item and it shouldn't take very long. It is to develop strategy for a price on a piece of property that the township may be interested in Purchasing.

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

17. ADJOURNMENT @ 9:34 PM – for the regular meeting.

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
APRIL 12, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 12, 2011 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 MacLachlan, Committeeman Fitzpatrick, Deputy Mayor Porto and Mayor Dickinson. Also present were Township Administrator/Clerk Paul Tuliano, Jr. and Solicitor Theodore Costa. Committeeman Boettcher was absent.
4. **MINUTES**
 - A. **Approval of Regular Committee Minutes of March 8, 2011**
Motion: Committeeman MacLachlan. Second: Committeeman Porto. All yes.
5. **REPORTS**
 - A. **Tax Collector** - Motion to accept the reports and spread the Tax Collector's report across the minutes: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes.
 - B. **Code Enforcement**
 - C. **Fire Official**
 - D. **Construction**
Motion: Committeeman MacLachlan. Second: Committeeman Porto. All yes.

6. **ORDINANCE**

- A. **Ordinance 2011-1-3** – Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Amending the Township’s Development/Zone Code Establishing a Business Park Zone (**Public Hearing Only**)

Mr. Tuliano asked for a continuance to a subsequent meeting; there is still additional work needed on this ordinance; however, a public hearing needs to be held at this time. No members of the public came forward. Public hearing for this Ordinance closed.

Motion: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes to continue this ordinance.

- B. **Ordinance 2011-2-3** – Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Amending the Township’s Development/Zone Code (**Public Hearing and Final Adoption**)

Rick Ragan of Ragan Design gave the committee members and audience a review of each ordinance before any of the residents chose to speak.

- **Kent Pipes, 35 Mt. Laurel Road** – told the committee that everything in the changes and updates to the ordinances is good except for one thing; the impervious coverage of 25% for the properties. He said he thinks the percentage of coverage should be reduced and he encouraged the committee to consider his suggestion. Mr. MacLachlan said he thinks the percentage of coverage is fine as stated in the ordinance.

Motion: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes, ordinance approved.

- C. **Ordinance 2011-3-3** – An Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Establishing Regulations and Permit Requirements for the Placement and Use of Charitable Clothing Bins within the Township (**Public Hearing and Final Adoption**).

No member of the public came forward to speak.

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

- D. **Ordinance 2011-4-3** – An Ordinance of the Township of Hainesport, County of Burlington, State of New Jersey, Establishing Regulations for the Placement and Use of Bulk Storage Containers within the Township (**Public Hearing and Final Adoption**)

No member of the public came forward to speak.

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

- E. **Ordinance 2011-5-3** – Calendar Year 2011 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) **(Public Hearing and Final Adoption)**

No member of the public came forward to speak.

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

7. RESOLUTIONS

- A. **Resolution 2011-66-4** – Resolution to Read Budget by Title Only
Ms. Emmons explained to the mayor that if this resolution is not passed, the budget would have to be read in its entirety.

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

- B. **Resolution 2011-67-4** – A Resolution Authorizing the Township of Hainesport to Execute an Agreement with Burlington County for Cooperative Participation in the Community Development Block Grant Program

- **Mr. Tuliano** explained this is the block grant that Hainesport is eligible for every other year. We are just letting the county know, if the committee agrees, that we are interested in applying for the block grant. Block grant projects are only available to a very limited area in Hainesport. Currently we are waiting for funds from another block grant for additional work at the Street Center, and to complete the handicapped accessible doors at the Municipal Building. If the committee agrees to have the township apply for the grant, if and when it is approved, they have to decide what project is eligible. Mr. Fitzpatrick said he had a couple residents approach him about an elderly woman living across the street from the school with a sidewalk in such disrepair she is having a problem getting in and out of her house. He asked if the grant block could help with this issue and Mr. Tuliano told him it could.

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

- C. **Resolution 2011-68-4** – A Resolution to Enter into a Contract with Geese Chasers for Clearing and Maintaining a Geese-Free Environment at the Municipal Complex

- **Mayor Dickinson** said the cost would be \$209.00 per week for a period of 4 to 12 weeks.

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

D. **Resolution 2011-69-4** – A Resolution Authorizing the Filing of a Recycling Tonnage Grant Application for the Year 2010 and Designating the Township administrator as the Recycling Coordinator as Required by Law

- **Mr. Tuliano** said every year the township has to file a recycling report and the resolution is required.

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

E. **Resolution 2011-64-3** – 2011 Hainesport Township Budget (**Public Hearing and Final Adoption**)

- **Ms. Emmons, Hainesport's CMFO**, told the committee and audience that in spite of the two separate caps imposed on the township by the state, the municipal tax rate will only increase by less than one cent. Mr. Tuliano had to scrutinize all the departments and certain areas and was able to stay under the budget cap. The average homeowner will have to pay an extra \$10.00 per year if this budget is approved. Ms. Emmons said that under the new cap law Hainesport Township could only add \$33,000.00 to our budget. Given the fact they had to take into consideration the increases in pensions, gasoline and utilities, the township did well with the budget.

No member of the public came forward to address the budget.

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

8. **CORRESPONDENCE**

A. **Letter from New Jersey State Department of Transportation** – Regarding Hainesport-Mount Laurel Road

- **Mayor Dickinson** explained that with the accidents in the past years in that area, the state has decided to put a three way stop at the intersection of Creek Road and Mount Laurel Road. He said the stop sign will be placed in front of the bus company coming from Route 38 and the issue the township is worried about is that this creates a three-way stop. Mr. Tuliano explained the state has agreed to put a stop sign at that location, but they are recommending that Burlington County agree to put a stop sign on the other side to make it a four way stop. What the township needs to

do, if they wish, is to let the county know they are in agreement with the state and ask the county to put up a stop sign on the north side of the intersection. Mr. Tuliano said there is no formal action needed as this recommendation is based on previous requests the township and county made to the state to look into the situation at the intersection. The committee is in agreement to ask the county to put up the fourth stop sign.

B. New Jersey State Police E-Mail – Regarding Deacon Road

Because of resident complaints of speeding on Deacon Road at the last meeting, the State Police were out checking the speed of vehicles: there were 75 stops with 43 warnings and 15 summonses issued. As had been suggested, most motor vehicle's stopped were residents of the area. The state police reported several residents stopped for speeding admitted they were at the Township meeting complaining of speeding on Deacon Road. Mayor Dickinson said this is to let everyone know the township is addressing the issue. The State Police said they would continue enforcement on a periodic basis.

C. Letter from Attorneys King & Petracca – EJIF – Hainesport Township

- **Mr. Tuliano** said that so far the state has been funding the testing at the old HITCO property. Recently, the state contacted the township and said they don't have the funds to continue testing; they may begin again at some point in time. A few years ago the township joined the Environmental Joint Insurance Fund. Mr. Tuliano contacted them to see if they had any coverage to continue testing and was told no because the situation is a pre-existing condition. What we will do right now is to keep working the way we have been at the HITCO property and as the state resolves some of its problems, the funding will come back.

F. Letter from Attorneys Caplan, Valenti & Murray – Response to Hainesport Industrial Railroad, LLC Host Fees

- **Mr. Costa** explained this letter was in response to his request to the railroad for their legal justification for not paying a host fee on certain things they do; such as the containerized debris they are bringing in. It never leaves the railroad cars and they pointed out that they are not obligated, arguably, to pay any host fee whatsoever because they are not in the county district wide solid waste management program. Mr. Costa said he wouldn't comment on whether or not they are correct in this forum, but they do have some good arguments. He also said there was a veiled threat that if the township sues them and they prevail, the railroad would stop paying host fees of any kind. Mr. Costa said it was interesting reading and they point out their arguments well.

**Motion to receive and file correspondence: Committeeman MacLachlan.
Second Porto: Committeeman. All yes.**

9. COMMENTS FROM THE PUBLIC

- **Mayor Dickinson** requested that since there are several items that need to be discussed in Executive Session he asked the public keep their comments to five minutes each. Mr. Tuliano said there would be a somewhat lengthy closed session tonight.
- **Peter Ruble, 2525 Creek Road** – stated he disagrees with the mayor’s request right away; if people have something to say they should be heard. He commented that the stop sign at the intersection of Mt. Laurel Road and Creek Road is a good idea. Mr. Ruble brought up the three way stop sign he thinks should be at Masons Woods Lane; he said that the report from Alaimo Associates stated that Masons Woods is “mid-block” and he completely disagrees with the report. He said he thinks the township should revisit the situation again.
- **Jack Payakovich, 503 Marne Highway** – advised there is an awful lot of noise from speeding traffic in his area and would like the township to look into it. He said in the Clermont section of Hainesport, on Marne Highway, even the transit buses don’t do 35 mph. He went on to comment about a problem with motorcycles and even trucks in a particular area; there might even be a business there. Mr. Tuliano asked Mr. Payakovich to call him with the information and it would be investigated. Mr. Payakovich talked about the business next to his house; it was his understanding that part of the agreement was that the person who ran the business would also be living in the apartment above. It has been brought to his attention that someone is living there but there is no business operating at that location at the present time. Mr. Tuliano advised that if the information is correct and the business is in fact closed he will direct Kathy Newcomb, the zoning officer, to investigate.
- **Jonny Stankinas, 511 Marne Highway** – told the committee that someone is definitely living in the apartment at 505 Marne Highway. He also complained about the motorcycle noises and the speeding along Marne Highway. Mr. Stankinas said the trucks are using their “jake brakes”, which causes loud noises. When the asphalt plant starts running, it runs 24 hours a day and the trucks are constantly coming up and down the road. He also said he has seen signs along the by-pass stating “no jake brakes” and would like some put along Marne Highway. With the new sewer plant operating he is concerned about more trucks traveling along the road. Mr. Tuliano said that about 1 ½ to 2 years ago the county asked the municipalities from Route 206 to the Mount Holly bypass to endorse a resolution prohibiting trucks over a certain weight from using Marne

Highway (Route 537). Hainesport Township approved the resolution and Mr. Tuliano did a follow up on that a month or so ago and was told the county is waiting for Eastampton to provide a resolution for their section of Route 537. He said he would check the status. If the county does prohibit truck traffic over a certain weight, it may take care of some of the problems. He also said he would contact the county and ask for the Jake braking signs. As far as the motorcycles, as soon as he gets the information the State Police will be notified.

- **Leila Gilmore, 101 Devon Lane** – said at the last meeting she had talked to the committee regarding the COAH townhouse in the Glen at Masons Creek and as yet she has not heard from Mr. Costa or Mr. Tuliano. Mrs. Gilmore said she was encouraged after the meeting and reported that to her board, but she has not seen anything to indicate the township is going ahead with the sale of the townhome. She said she was aware that two more homes will be coming available for sale in the very near future and she doesn't see where it is being advertised. Mr. Costa apologized for not contacting her. He went on to say that the township had recently received deeds for two of the COAH homes; 121 Tartan and 100 Tartan Lane. Mr. Costa said that when we receive the money to replace the money the township has put out for 121 Tartan Lane they will be able to take care of the past due money owed to the Glens' Homeowner Association. Mrs. Gilmore and Mr. Costa discussed a few issues about the townhouses and he told her the township is moving as fast as they can to work things out with the association; the foreclosure process is extremely far behind because of the number of foreclosures in the country. He told her we all have the same goal. Mrs. Gilmore then questioned Mr. Tuliano about the process of advertising the sale of the COAH properties. He explained the various problems the township has been running into; because of the housing market, people on the list cannot sell their homes quickly so they can't sign a contract, also many of the people looking at the properties don't want to buy, they are interested in renting and the township is not in the rental business. Mr. Tuliano said the township is very eager to sell the homes but the market is not where it needs to be for a fast turnaround. Mrs. Gilmore said she looks forward to hearing from Mr. Costa.
- **Catherine McNelis, 407 Bischoff Avenue** – asked Mr. Costa why he had asked for a letter from the railroad to give him an explanation of the fees. She thought the question asked about was why they don't give host fees for everything when in the contract that was signed by the township it states they will give 50 cents a ton for anything received. Mr. Costa explained to Mrs. McNelis that the contract refers specifically to statutes and the statutes talk about solid management waste programs. The argument has been made that the host fee is only applicable to institutions within the program and the railroad has noted that they are not in that program and so it can be argued that they are not obligated to pay any host

fee whatsoever. The issue is not the construction debris it is the recyclables; they picked up on the fact that recycling materials are what they call containerized waste. The containers never leave the railroad cars and they are saying that according to their interpretation of the law that because it is containerized it is not subject to state regulations. It is still subject to the Surface Transportation Board in Washington and because of that they are exempt from any type of state oversight or statutory obligation to pay host fees. Mr. Costa reiterated to Mrs. McNelis that when an entity is not under the solid waste management plan then the matter is preempted by the federal government. Mrs. McNelis brought up the comment Mr. Ruble made about mid-block stop signs and she said it might be a good thing for the people on Deacon Road.

- **Kent Pipes, 35 Mt. Laurel Road** – said he thinks maybe if the state closed the short section of road that comes off Route 38 and make the right onto Mt. Laurel Road it might be a good idea and suggested maybe the state should look into it. Mr. Pipes said he understands the issue regarding the senior housing in the COAH units; his company is the only licensed non-profit brokerage company in the state of New Jersey. He offered the company's service to the township to handle these properties. Mr. Pipes described the various things that the company has done for municipalities and people in the past and what they are doing now. He said he is a resident of Hainesport and would like to help them with the COAH properties if he can. Mr. Tuliano asked if the homeowners would be charged a fee and Mr. Pipes said they would have to look at all the details but there are all kinds of ways to work something out that would satisfy the association and the township. Mayor Dickinson asked if the township should bring the company in and Mr. Tuliano said he would be interested if there is no fee to the property owner. There was more discussion and it was left that Mr. Pipes would contact the township and they would set up a meeting to discuss the matter.
- **Pat Mackin, 116 Masons Woods Lane** – asked if the State Police would be coming to the township meetings again. Mayor Dickinson said we can ask them if they would and Mr. Tuliano said there is a new station commander and he would contact him to see what his policy is. Mrs. Mackin then asked if the committee would revisit the situation concerning the 3 way stop sign at Masons Woods Lane. She said it was a safety issue brought up by the entire development and there are still vehicles flying down that road. She said she knows the committee wants to make it a dead issue and Mr. Tuliano told her that is not the case; they want to make it a legal issue. The township engineer was asked to take a look at it and it has to be certified for the state. The engineer said he wouldn't certify it because it doesn't warrant a stop sign as it does not meet the criteria. Mrs. Mackin said she looked into the situations with the stop signs on Easton Way and there were no reports from an engineer. Mr. Tuliano said it was

a different situation; most of the stop signs there were established by a site plan approved by the Joint Land Use Board and the engineer signs off on the site plan. Mrs. Mackin continued to ask the committee to put up a stop sign at Masons Woods Lane. She also asked if we could have another ordinance to require the stop sign. Mr. Tuliano said the committee has already asked the township engineer if he would certify stop signs, as required by state statute. Mr. Costa said that the statute really says that the engineer must certify the stop signs. There was more discussion on the subject. Mr. Tuliano handed out copies of the statute that explains where and how a stop sign can be installed. Mrs. Mackin continued to request the committee to address the issue. Mr. Tuliano said it would take 5 minutes to put up a stop sign but it may take 5 years in legal battles if something happened if the stop sign was not approved.

10. **COMMENTS FROM THE ADMINISTRATOR**

- A. **Clean Up Day Saturday at Street Center** – reminded everyone that Saturday, April 15th, is Clean Up Day at the Street Center parking lot, from 7:00 AM to 12:00 PM. This will be held rain or shine.
- B. **Energy Audit Grant Work Scheduled to Begin** – said he had been contacted by the firm that is going to be doing the energy upgrades in this building. Mr. Tuliano said this is the \$50,000.00 grant the township received recently. The firm will be starting the work soon. There will be a couple new heaters going in upstairs and there will be sensor lights in the building in the common areas and the bathrooms among other upgrades.

11. **COMMENTS FROM THE SOLICITOR** – had no comments tonight.

12. **COMMENTS FROM THE COMMITTEE** –

- **Mr. Fitzpatrick** said he had attended a function at the firehouse since the last meeting and had an opportunity to speak with fire department member, Bill Challender. He said Mr. Challender explained what was going on with the department and he found it very informative. Mr. Fitzpatrick said he was given a tour of the firehouse and an understanding of what the men and women go through within our town to help on a voluntary basis. Mr. Fitzpatrick wanted to acknowledge them for that and to take the opportunity to thank them for everything they do.
- **Mr. Porto** asked the committee to bring up the discussion of speed humps on Deacon Road at the next meeting, especially in light of all the number of

speeding incidences that have taken place on that road. He has received a lot of feedback from some residents and thinks we owe it to them to take another look at it and see what we can do.

- **Mr. MacLachlan** said he was really surprised that the budget was glossed over the way it was tonight. The municipal budget is going up less than a penny while the surrounding towns' budgets are going up ten, twenty or even thirty cents. He went on to say, as a taxpayer himself; he appreciates what our professionals are doing to manage our town and our budget. Mr. MacLachlan also commended Mr. Tuliano for the many things he has done to help the township; working on the stop signs, the energy grant, looking into the host fee and, of course, the speeding on Deacon Road. Mr. Tuliano said it is a joint effort, Mr. Costa, other staff members and even the residents.
- **Mr. Fitzpatrick** told Mr. MacLachlan he made a good point about the budget; we take everything for granted but it really is a phenomenal budget considering what is going on around us. Mr. Tuliano commented on some people in the audience "grand-standing" and heckling while Mr. MacLachlan was speaking.
- **Mayor Dickinson** also echoed what Mr. MacLachlan said about the budget. Mr. Tuliano and Ms. Emmons did a great job. He said he was also at the function at the firehouse with Mr. Fitzpatrick and along with the tour they got an education on Hainesport from some of the great people whose families have lived here a long time; they learned that Marne Highway was once a clam shell road. He said he has had an opportunity to be out and watch the men and women volunteers and how they work together at the fires and risk their lives every day and he is very thankful to them. That is the great thing of being part of this town.

13. **BILL LIST**

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

14. **EXECUTIVE SESSION**

A. **Resolution 2011-70-4 -- Resolution to Enter into Executive Session**

- **Personnel Matter** – Disciplinary Hearing
- **Land Acquisition** – Counter Offer from Property Owner
- Mr. Costa said there was another subject the committee had to discuss; **contractual negotiations concerning Paul's Tank Farm.**

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

15. **ADJOURNMENT @ P.M.**

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
MAY 10, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 10, 2011 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 PM.
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 April 12, 2011**
Motion: Committeeman Fitzpatrick. Second: Committeeman MacLachlan. Committeeman Boettcher abstained, all others yes.
5. **REPORTS**
 - A. **Tax Collector** – April, 2011
Motion to accept the reports and spread the Tax Collector’s report across the minutes: Committeeman Boettcher. Second: Committeeman Porto. All yes.
 - B. **Code Enforcement** – April, 2011
 - C. **Fire Official** – April, 2011
 - D. **Construction** – April, 2011
Motion to receive and file: Committeeman MacLachlan. Second: Committeeman Porto. All yes.
6. **DISCUSSIONS/PRESENTATIONS**
 - A. **New Jersey State Police**

State Police Station Commander, Acting Lt. Scott Jiras, Assistant Station Commander Sgt. John Beyers, and Detective Sgt. Bill Carey were at the meeting to answer residents' questions.

Pat Mackin, 116 Masons Woods Lane – asked about an incident that happened at the Firehouse on Friday night. Commander Jiras gave a brief synopsis of the situation and explained that there was an arrest, one person was seriously injured and it is an ongoing investigation. Mrs. Mackin mentioned there were rumors of gangs of kids roaming around different areas of town and Commander Jiras said his troopers are well aware of the various areas and they have been told there should be zero tolerance for people that they have had numerous interactions with previously. He said every time they receive a complaint a trooper goes out and investigates. Mrs. Mackin asked if Commander Jiras would be at the meetings each month and he answered he didn't think it was necessary to come out that often; when and if the township contacts him he will be here.

Leila Gilmore, 101 Devon Lane – told Commander about an intersection near Fostertown Road at the Glen at Masons Creek that she thinks is dangerous; it is causing some problems with people pulling out of The Glen. The Commander said he would put that up on the board that all the troopers look at everyday and have the intersection checked out. Mayor Dickinson mentioned that a lot of residents have been complaining about the quads out on the street lately; especially in the Rancocas Heights area. Again, the Commander said he would have that information put up on the board.

Laurie Valvardy, 911 Deacon Road – thanked the troopers for slowing down the traffic at least 60 to 70 per cent on Deacon Road.

B. **Speed Bumps**

Mr. Tuliano presented the committee with a list of requests for speed humps. The list was generated by residents calling in and asking for them on their road. The list contains recommendations for the various streets and number of speed humps for that particular street and the estimated cost for them. The cost would depend on many variables and could go up or down; if the committee decides to go with them. There was some discussion by the committee about whether or not the speed humps actually do slow down traffic; Mayor Dickinson stated that the one in front of his house has certainly done a good job. Mr. Fitzpatrick asked if the committee had to vote on this tonight and Mr. Tuliano explained that they did not, but he wanted them to take a look at the list and if they have any questions or concerns they can talk about it; it is not something that needs to be acted on this evening. The fact of the matter is that every street on the list is there because a resident has requested a speed hump to be put on their street. There was more discussion and Mr. Porto suggested they consider a speed hump near the entrance to the State Park on Rancocas Avenue because people come out of the park going very fast; there had been discussion about putting a gate there but the county is not interested

in doing that so a speed hump somewhere near the entrance would be a good idea. Mr. Tuliano said if anyone wants to talk about the speed humps they can bring it up at public comment.

7. **ORDINANCE**

A. **Ordinance 2011-6-5** – An Ordinance Authorizing Purchase of Land – **Block 10 Lots 06.01 and 06.02**

Mr. Tuliano said this ordinance is up for adoption if the committee agrees to introduce it. There would be a public hearing and final adoption on June 14, 2011. Mr. Costa made a small change on the wording of the ordinance. Mr. MacLachlan explained they were talking about the land next door to the township building.

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

B. **Ordinance 2011-7-5** – An Ordinance Establishing a Stop Intersection on Creek Road as it Intersects Hainesport-Mount Laurel Road

Mr. Tuliano stated this ordinance authorizes the stop sign on Creek and Mt. Laurel Road; again, if introduced tonight, there will be a public hearing and final adoption on June 14, 2011. Mr. MacLachlan noted that it has been more than a year or more that this was started and it has taken the state this long to process something like this. He said our government works faster than the state.

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

C. **Ordinance 2011-8-5** – An Ordinance to Provide for and Determine the Rate of Compensation of Officials and Employees of the Township of Hainesport

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

8. **RESOLUTIONS**

A. **Resolution 2011-71-5** – Resolution to Amend the Adopted Budget for Additional Items of Revenue and Offsetting Appropriation (Chapter 159)
This is for the grant money that we are receiving.

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

Mr. Tuliano asked the committee if they would consider adding another resolution to the list tonight. The lease on the copy machines expires next

month and we need to move forward. As it says in the resolution, we have received 5 quotes for different machines and the one he is recommending is \$217.00 per month for 2 machines. We are currently paying a little over \$600.00 a month for 2 machines.

Committeeman MacLachlan made a motion to amend the agenda. Committeeman Fitzpatrick seconded. All yes.

B. Resolution 2011-73-5 – Resolution to lease copy machines

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

9. BUSINESS

A. Block Party Request – South Hunterdon Avenue

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

B. Block Party Request – Hastings Lane

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

10. CORRESPONDENCE

A. Tax Collector Commendation

B. Zoning Officer Commendation

Committeeman asked to accept the correspondence and put them in the employees' personnel files.

11. COMMENTS FROM THE PUBLIC

- **Peter Ruble, 2525 Creek Road** – commented that the speed humps have definitely helped to slow down the traffic on Creek Road tremendously. He answered Mr. MacLachlan's comment about the speed of government; the reason for the delay in the stop sign issue on Mt. Laurel was that 2 or 3 people had retired and the re-shifting of personnel made it difficult to finish the previous persons' work. He thinks it was the loss of personnel that caused the delays. Mr. Ruble went on to ask about the stop sign he wants at the Masons Woods Lane and Creek Road intersection. Mayor Dickinson told him the engineer had done a study and the situation was evaluated and does not require a 3 way stop sign. Mr. Ruble read some comments from the engineer's report to Mr. Tuliano and part of it said the section was mid block. Mr. Ruble disagrees with it and went on to explain his definition of mid block. After giving his opinion he said he thinks the situation should be re-evaluated. Mr. Ruble also brought up the fact that if

people go to the Courier Post website and go down to “Data Universe” and click on that, you can get all the information you want about New Jersey employees’ salaries and any other information you want to find out about them. He said you can find anything about the State of New Jersey and he thinks people should know about the website.

- **Pat Mackin, 116 Masons Woods Lane** – asked Mr. Tuliano if the list that shows 28 positions in the township are all actually filled. Mr. Tuliano said the township has 9 full time employees and would have to check the list to see if he can answer her question. She said she saw a couple positions that she didn’t think the township actually had. Mr. Tuliano asked her which ones and she mentioned Technical Assistant. He said that is filled and she asked who it was. Mr. Tuliano told her the Technical Assistant works in the construction office. That is a title of the person who works there and handles the permits. Mrs. Mackin went on to say her question is how would a person know the total salary of the employees if it is all broken down in different categories as it is on the list. She went on to ask more questions and finally asked if it wouldn’t be less expensive to the township if we had shared services for some of the positions. Mr. Tuliano told her it would cost the township more money that way. He used the example of when Hainesport previously had a contract with a private firm to do the computer consulting and for a computer technician. It was very difficult sometimes to get him to come in when we needed him and in some cases the contract fees are astronomical. For that reason and more the township brought it in house. Mayor Dickinson reminded everyone that when we didn’t have an animal control person we checked into sharing the person doing Lumberton’s animal control. We were told that if he was working in Lumberton he couldn’t come to Hainesport. Mrs. Mackin asked if anyone writes grants for the Fire Department. Mr. Tuliano said at one time they had a grant writer but he is not sure what they are doing now. Mayor Dickinson mentioned that when he and Mr. Fitzpatrick were at the Fire House for a function they sat down and talked to Bill Challender and he told them he is looking into several options for grants. He also said that Mr. Challender is doing a very good job.
- **Catherine McNelis, 407 Bischoff Avenue** – said she noticed the township still has an affordable housing administrator and an affordable housing finance officer. Mrs. McNelis said she recalls that was always part of Mr. Tuliano’s job when he took the position as administrator. Mr. Tuliano corrected her and said he hadn’t always had the position but COAH requires an administrator and finance officer which is why he has the position of administrator. Mrs. McNelis stated that since they are doing away with COAH she doesn’t think he should keep the position. Again Mr. Tuliano corrected her and said they are not doing away with the program; even if they did the township still has some affordable housing programs that are ongoing and must be continued. Mrs. McNelis stated that Senior Citizens haven’t gotten a raise in a few years and she thinks Mr. Tuliano is overpaid. Mr. MacLachlan brought up the amount for administrators in Lumberton and said we pay much less. She continued to say that if COAH is going to be eliminated Mr. Tuliano should not be paid

for the program. Mr. Costa explained that even the governor wants to stop the program but until that is confirmed everyone involved must continue to do their jobs. Mr. Tuliano also brought up the fact that when he took over the COAH responsibilities the township was allowed, by statute, to expend up to 20% for administrative fees. The amount has dropped down to 6%, so the township is not making near what they were 10 years ago.

- **Leila Gilmore, 101 Devon Lane** – thanked those involved with helping with the particular problems that there are with the program when things go wrong. She said she understands we are close to solving another problem. Mr. Tuliano said we have made major strides with the COAH properties that the township owns and the other unit has been shown to many prospective buyers and he is hopeful the units will no longer be available in the very near future. They went on to comment about the various issues that there are to make the units conducive to the elderly.
- **Catherine McNelis, 407 Bischoff Avenue** – said, because there is so much trouble with COAH, she can't understand why the people on the Planning Board changed the highway commercial zoning to senior citizen housing behind the diner. Mrs. McNelis said right now, because of the economy, if they build the houses there and can't sell them to senior citizens that they can sell them to a family. That's why she can't understand, if it was so bad, that we could do that.

12. COMMENTS FROM THE ADMINISTRATOR

Rancocas Valley Regional High School Budget Meeting

Mr. Tuliano said that because the budget for the high school was turned down by two of the five districts, there will be a meeting on Thursday, May 12, 2011 at 7 PM at RV. It is not a public meeting and the township needs to send someone to represent the township and listen to RV to see what they have decided, as far as reducing their budget, to satisfy the two municipalities that voted it down. The committee members talked about who would go and it was decided that Mayor Dickinson and Mr. Fitzpatrick would attend the meeting.

Mr. Tuliano said the first part of the Energy Audit Grant was completed last week. That included changing all the lights in the building to more energy efficient lighting; motion switches were put in areas that are not offices. The next phase will be in approximately 2 weeks and take about 4 days; the HVAC Company will come in and replace the heaters and air conditioners in the building with more energy efficient and modern equipment. Mr. Tuliano reminded everyone this is not costing the township any money; it is part of the energy audit grant. We are acquiring \$50,000.00 worth of work at no cost.

Mr. Tuliano then brought up Direct Energy, a company that provides electricity to the big companies such as PSE&G. We have the opportunity

to sign on with an energy company which will lower our electric bills. He thinks if the committee wants to go in that direction then we can move forward with it. There was some discussion as to whether or not there had to be a competitive bid. Mr. Tuliano said the way this thing works is that we pay PSE&G for electricity. They have 2 different components of their electric bill. One is the electricity itself and the other is the transmission of the electricity from their stations to the power lines to the building. We are talking only about the one part which is purchasing the electricity, not the transmission, because we would still have to pay PSE&G for that. The state was saying that in order for a municipality to participate in this program even though the Township will save money, they would have to go out to bid for it and he totally disagrees with that. Mr. Tuliano said we are still going to pay PSE&G and they are going to purchase the electric from the company we tell it to. Mr. Costa said he would like to interpret that law and he would like to be given a short period of time to do so. He went on to say that another town he represents brought in a new electric company to realize savings as well. Apparently they give you better peak hour rates and somehow the rates are better. Mr. Tuliano said if everything holds true he thinks the township can save money. There was discussion concerning whether or not the township would have to have quotes or bids; if they get quotes instead of bids it is much less costly. It wouldn't be worth it if you have to go out to bid. The fact of the matter is that it appears that we can save additional money besides the energy savings that we will realize from all the new equipment but also from the electricity itself.

The last item on Mr. Tuliano's list is the Police Memorial on May 18, 2011 at the Public Safety Center in Westampton. Hainesport participates every year because of the Hainesport officer that was killed in 1975. If anyone wishes to attend it will be held at 10 AM. It consists of several things; last year they had Terry Ruggles from channel 10, a couple of political figures said a few words, there is a reading of names of the officers killed in the line of duty and then 5 or 6 townships, Hainesport being one of them, will place a wreath at the memorial circle at the Safety Center.

13. **COMMENTS FROM THE SOLICITOR**

Mr. Costa had no comments this evening.

14. **COMMENTS FROM THE COMMITTEE**

- **Mr. Fitzpatrick** said as the liaison for the education foundation and the township, he wanted to mention that there will be a poker tournament the foundation is sponsoring at the Fire House Friday night.
- **Mr. Porto** had no comments this evening.

- **Mr. MacLachlan** said that Pat Byrne, former committee member, sold his house and he will be leaving so Mr. MacLachlan is trying to put together a cocktail party for him next Friday or Saturday night. He said that he would like people to call him on his cell phone for more information and reminded them it is a surprise. Mr. MacLachlan talked about what a good friend and politician Mr. Byrne has been and wanted to give him a nice surprise party.
- **Mr. Boettcher** had no comments this evening.
- **Mayor Dickinson** mentioned that if people haven't had an opportunity yet to please check out the new website for Hainesport Township. It looks fantastic and is very informative. Also, when you're out walking the fields please take a look at the grass, it looks great right now. All four fields look fantastic including the two fields being played on and the old field is coming through because all the nets have been removed. Mayor Dickinson mentioned that in the past few months he has had a lot of opportunities to spend time in the township building ; he gets together with a couple other mayors every once in a while and he knows the problems they are having in their own towns. He said this township is run fantastically. Mayor Dickinson said the employees work together and treat the people that come in with respect and do everything they can to help. He said it's really nice to see how they all work as a team. He then thanked everyone for coming out tonight.

15. **BILL LIST**

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

16. **EXECUTIVE SESSION**

- A. **Resolution 2011-72-5** -- Resolution to Enter into Executive Session, if necessary.

Mr. Tuliano said they would be talking about potential litigation and it would probably be lengthy.

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

17. **ADJOURNMENT @ 8:50 P.M.**

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
JUNE 14, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions the Open Public Meetings Law. This meeting of June 14, 2011 was included in the 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. **CALLED 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.

Mayor Dickinson said they were going to have a portion of the Executive Session before the regular portion and asked everyone in the audience to step out into the hallway until the committee was finished with that portion.

When the executive session was done everyone was called back in and the regular meeting resumed.

4. **MINUTES**
 - A. **Approval of Regular Committee Minutes of May 10, 2011**
Motion: Committeeman MacLachlan. Second: Committeeman Boettcher.
All yes.
5. **REPORTS**
 - A. **Tax Collector** – May, 2011
Motion to accept the reports and spread the Tax Collector's report across the minutes: Committeeman Boettcher. Second: Committeeman Fitzpatrick.
All yes.
 - B. **Code Enforcement** – May, 2011
 - C. **Fire Official** – May, 2011

D. **Construction** – May, 2011

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

6. **DISCUSSION/PRESENTATION**

A. **BID OPENING** – Phase III Recreation Complex Project

Mr. Tuliano explained the township went out to bid for the Phase III portion of the recreation project which included the continuation of the walking trail, lighting for the trail, a link to the county park and some exercise stations and sitting areas throughout the complex. He said in the bid itself there were two sets of lights and the committee has to decide which set of lights they want to have put up. There is a \$36,000.00 difference between the twenty lights. Mr. Tuliano explained to everyone that the cost of the project is more than the grant; four years ago when we began this project it was very limited because we were paying for it ourselves and then last year when the grant money was received from the county it enabled the township to expand on the project and get the complex completed in two years rather than four or five years. We were also able to use \$500,000.00 of county grant money versus using money from the local purpose tax. He went on to say that if there is money left over from the grant the township has to return it. The committee had a discussion to decide which type of light they wanted to have installed and the final decision was to have the higher priced light that conformed to the general ambience of the complex installed.

7. **ORDINANCE**

A. **Ordinance 2011-6-5** – Ordinance Authorizing Purchase of Land, Block 10 Lot 6.01 and 6.02, through the Township's OpenSpace Funding Program (**Public Hearing and Final Adoption**)

Catherine McNelis, 407 Bischoff Avenue – asked if the property being talked about was in any wetlands. The answer was no.

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

B. **Ordinance 2011-7-5** – An Ordinance Establishing a Stop Intersection on Creek Road as it Intersects Hainesport – Mount Laurel Road (**Public Hearing and Final Adoption**)

Virginia Cliver, 118 Mt. Laurel Road – asked if the intersection is the same intersection at Creek Road and Mt. Laurel Road, which already has two stop signs. She was told that it is the same intersection. Mr. Tuliano told her it is a “boiler plate” ordinance the county wants the township to adopt in order for the county, state and Hainesport Township to all agree to have the four way intersection. Mrs. Cliver asked if there would be warnings put up to make the drivers aware that the new stop signs will be there and was told they are sure that will be done.

**Motion: Committeeman MacLachlan. Second: Committeeman Porto.
All yes.**

- C. **Ordinance 2011-8-5** – An Ordinance to Provide for and Determine the Compensation of Officials and Employees of the Township of Hainesport for the year 2011 (**Public Hearing and Final Adoption**) No comments from the public.

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

8. RESOLUTIONS

- A. **Resolution 2011-75-6** – Resolution Authorizing Public Works Facility Change Order No. 5

Mr. Tuliano told the committee he had recently learned of some very minor construction changes that were made and approved by the architect and he would like to memorialize the changes and formalize them all in one change order. Everything on the order has been done and is correct; the contractor is looking for final payment of \$12,025.43 for the project but that payment could not be made until this last piece of legislation is approved.

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

- B. **Resolution 2011-76-6** – Resolution Reappointing a Registered Municipal Clerk–**Paul J. Tuliano, Jr.**

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

- C. **Resolution 2011-77-6** – Resolution Approving Expenditure of COAH Funds to Pay Taxes and Assessments to Hainesport Township – **121 Tartan Lane**

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

- D. **Resolution 2011-78-6** – Resolution to Hire Summer Recreation Help

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

- E. **Resolution 2011-79-6** – Resolution to Approve 2011/2012 Liquor Licenses

Mr. Tuliano said there was one establishment missing from this list; at about 4:30 this afternoon one of the owners of the establishment came in with the proper documents and the fees payable to the state. Therefore he would like the resolution to be amended to add Carollo's Bar to the list.

Motion to amend the resolution: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.

Motion to approve amended resolution: Committeeman Fitzpatrick. Second: Committeeman Boettcher. All yes.

- E. **Resolution 2011-80-6** – Resolution to Provide Additional Compensation to JLUB Solicitor Robert Kingsbury for additional research and preparation of a zoning ordinance change.

Mr. Tuliano explained that this was a case that came from the Joint Land Use Board; the JLUB Solicitor was asked to develop an ordinance based on the application. He did some work that was above and beyond his normal scope and is asking for compensation of \$175.00 to settle it.

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

- F. **Resolution 2011-81-6** – Resolution Authorizing Employment for Seasonal Public Works Employee

This resolution does not have any names for the position; **Mr. Tuliano** said they thought they had one or two individuals to fit the bill but apparently the people did not want to take the job. He said if anyone knows a college person or a young person with a license that would like to cut grass and can drive a pickup truck let him know. He would like the committee to approve the resolution as it is and when someone is hired the name can be inserted so we don't have to wait until July for that person to start work.

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

- G. **Resolution 2011-82-6** – Resolution to Award a Contract for the Recreation Complex Phase III to Command Company, Inc. in the amount of \$413,000

Mr. Tuliano explained that if the committee chooses to go with the rubber marble mulch for the exercise stations instead of wood chip mulch and also wants the swan neck lights, then the price of \$413,000 would be correct. He recommended the rubber mulch. **Mr. Tuliano** said when the project was estimated the amount given by Ragan Design was approximately \$465,000 so the low bid was even below their estimate and the other two were considerably higher. This project is coming in under bid.

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

- H. **Resolution 2011-83-6** – Resolution to Amend the Adopted Budget for Additional Items of Revenue and Offsetting appropriation (Chapter 159) for two grants awarded to the Township in the amount of \$307,000.

When the budget was approved we had not yet received the letter from the county awarding the 2011 grant of \$250,000 nor had we received the award letter from the Community Development Block Grant of \$57,000. This resolution simply allows the municipality to add those amounts to the budget. **Mr. MacLachlan** brought up the fact that not every municipality received the grant and **Mr. Tuliano** concurred. He said it is the second year in a row that we have received the full amount. He went on to say that the CDBG will be used for the Street Center for a new roof and also for the municipal building to make the front doors more handicapped accessible by putting in additional automatic openers. **Mr. MacLachlan** said he thinks it would be safe to say that the park improvements are being covered with these grants of over \$500,000. The total project is not being covered with these grants but it allowed the township to expand the project and finish it in less time than originally planned.

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

- I. **Resolution 2011-84-6** – A Resolution Authorizing a Property Tax Refund to a Disabled Veteran pursuant to N.J.S.A. 54:4-3.30 et seq.

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

- J. **Resolution 2011-86-6** – Governing Body Certification of the Annual Audit

Mr. Tuliano asked the committee members to look at the audit report, go to a certain page and when they see the word “**none**”; they have complied with the statute. He also asked them to sign a sheet after the meeting which states they have read the audit that for the 8th or 9th year in a row the Township received a clean audit. Mr. MacLachlan read the findings of the audit which stated that the township had no deficiencies, weaknesses or non-compliances in the various departments.

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

9. **BUSINESS**

A. **STORMWATER MANAGEMENT ORDINANCE**

This 2005 ordinance is being brought before the committee again because of the way it was mailed to the county back in 2005. Mr. Tuliano explained that the ordinance had already been approved by the township committee, the Joint Land Use Board and essentially by the county. The county did not like the fact that whoever sent the ordinance to them did not send it by certified mail. For that reason the entire process needs to be repeated in order for it to be approved again and it must be sent by certified mail. Once that is done, they will accept the document and the township will be clean. After discussing the situation the committee members decided to re-introduce the ordinance and next meeting there will be public hearing and it will be approved.

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

B. **Foreclosure List**

Mr. Tuliano and the Tax Collector, Sharon Deviney explained to the committee that when the township has a lien on a property it still has to pay all taxes other than the local purpose tax. It is because of that Ms. Deviney recommended that the township foreclose on the liens. When that is accomplished the properties could be sold and put back on the tax rolls or the taxes would be cancelled because they are municipal property. There were some questions from the committee and it was decided to authorize the tax collector to work with the solicitor to do whatever is necessary to handle this situation.

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

10. **CORRESPONDENCE**

A. **LETTER FROM DEP – Reference HITCO**

This is an FYI from the DEP regarding the ongoing environmental studies at the old Hitco property and telling the township what they need to do next. The letter has also gone to the township's environmental consultant and we will just continue to move along with this project.

B. **Letter from Burlington County Board of Chosen Freeholders –Awarding Hainesport Township a Grant in the amount of \$250,000 – Burlington County Municipal Park Development Program**

C. **Letter from Burlington County Board of Chosen Freeholders – Awarding Hainesport Township a Grant in the amount of \$57,000 – CDBG Program**

D. **Thank you Card – For Public Works Department**

E. **E-mails – Reference Creekview Fence in need of repair**

There was a discussion concerning who is supposed to be maintaining the fence and whose property the fence is actually on. Mr. Tuliano said the township has no standing in this and the Homeowner's Association is looking to the township to determine who, in fact, is responsible for the maintenance of the fence. Mayor Dickinson said it might be something that Mr. Costa could look into. It was agreed that he would.

F. **E-mails – Speed Bump Request – Deacon Road**

11. **COMMENTS FROM THE PUBLIC**

- **Catherine McNelis, 407 Bischoff Avenue** – asked if there were any way that a draft of the previous month's meeting minutes could be put out about a week before the next meeting so the residents could look at it and if there is something they don't agree with they could have an opportunity to say something to somebody prior to the meeting when the committee passes the minutes on the first issue. Mr. Boettcher told her the township cannot put out the minutes before they are approved. Mr. Porto also said the purpose of the meeting is not for public. She was told the committee has to approve the minutes before they can be posted; it is a point of order. Mrs. McNelis asked if the township will be reimbursed for the funds they will spend for the COAH property at 121 Tartan Lane. Mr. Costa told her when the property is sold we will be reimbursed for any costs. She said she is surprised the township is spending so much money for the work being done on the maintenance and putting in walk paths because we paid \$430,000 for this property and now we are paying \$413,000 to fix it up. Mr. MacLachlan reminded her that this money is a grant from the county they received for open space.

- **Jennings Black, 2505 Elm Avenue** – thanked the committee for helping him with a water problem he had by supplying him with asphalt grindings. The heavy rain tonight was a good test and it worked very well. He told the committee about problems residents are having with young people in the Rancocas Heights section of the township. There have been times when they throw trash out on people's properties; there is a group that gathers at a particular property and sometimes they skateboard in the driveway until twelve or one o'clock in the morning other times they are roaming around through the neighborhood. The group can be from three, six to eight people, they wear black clothing, they have foul mouths and they have no respect for anyone or anything. Mr. Black went on to describe several incidents that have happened and asked if there was anything the township could do to help. He said the new lighting system there is not working out well; there are several dark spots. Mayor Dickinson commented that Mr. Black should be careful when he is out walking and he assured him the township will make the State Police aware of the problems. Mr. Tuliano asked if more street lights would help and Mr. Black said he was sure it would. Mayor Dickinson said the township would contact the State Police and also PSE&G.
- **Bill Evans, 1611 Cottage Street** – started to talk about the Salt & Light trying to bring in four town homes on Albert Street and Rancocas Avenue. Before he could say anymore Mr. Tuliano stopped him and explained that there are three people here tonight that were cautioned by the Joint Land Use Board solicitor not to listen to any kind of testimony regarding that situation because at sometime in the future they would have to vote on it. He said that three of the members of the JLUB here tonight are Mayor Dickinson, Mr. Boettcher and himself and what is said tonight could jeopardize what they can or cannot do at the Joint Land Use Board level. He said he would like the solicitor to provide his opinion on whether or not they can even listen to what Mr. Evans has to say and then asked Mr. Evans if he understood what he meant. Mr. Evans said he understood but he wants the committee to know how he feels about how the judge's decision was handled; he wonders why he wasn't notified of the fact that Judge Bookbinder over ruled the JLUB's decision. He said because the Joint Land Use Board didn't notify him of the judge's decision he was unable to do anything about it. This made it possible to question the judge's decision because he didn't know about it in time and the statute has run out and now it can't be appealed. Mr. Tuliano told him it was all properly advertised. He then said he didn't want to go any further. Mr. Costa explained to Mr. Evans that there is no obligation for the person bringing the appeal to give notice. He asked what Mr. Evans would have done even if he had been notified. Mr. Evans said the same judge did this in Wrightstown and was over ruled and someone in this township should have appealed Judge Bookbinder's decision. He went on to say when Salt & Light comes before the JLUB again and is denied, and Kent Pipes appeals their decision again, and Judge Bookbinder over rules their decision, he wants to know what the township will do. Mr. Costa suggested he give his name and address to the secretary of the JLUB and request, in writing, to be informed of any decision and/or appeal and

that way he can take whatever steps he feels he should take. Mr. Tuliano explained to Mr. Evans that the Joint Land Use Board denied the use variance for that particular project; just the use variance. The judge overturned the denial and sent the application back to the JLUB with the use variance approval. What they are going to do now is look at the entire project and all the other issues, i.e. light pollution, the parking issue, who will maintain the parking lot if in fact the application is approved. There are still many decisions to be made for that application to be approved; it is not a done deal. There was more discussion concerning this situation but nothing could be promised to him.

- **Phillip Smith, 117 Masons Woods Lane** – said he wanted to say that the speed humps have slowed down the traffic but he wanted to comment on how much he thinks there needs to be a stop sign at the intersection of Creek Road and Masons Woods Lane.
- **Ray Storck, 2217 Spruce Avenue** – said he is a resident of Rancocas Heights and he is the “go to” guy in the neighborhood; if people in the area have problems they tell him. He said he agrees with Mr. Black about the security problems in the Heights’s area and suggested one of the things the township might consider is to put up portable cameras where there have been problems. They could strategically place them and have recordings of incidences for the State Police. Mr. Storck was asked if there is a Township Watch in the area and Mr. Storck said there was not. Mr. Costa asked if Mr. Storck could identify the young people that are causing the problems. He said he could not because of the low lighting. He went on to say the cameras could help to identify them for truancy use as well. There was discussion as to how the cameras could be installed and used.
- **Peter Ruble, 2525 Creek Road** – asked if everyone on the panel had read the minutes tonight before they approved them. He also said he thinks the residents should be able to make comments after the administrator gave his report. On the agenda tonight there is an objection to the stop sign at Masons Woods from residents in the “comments from the administrator”. He then asked how many objections there were. Mr. Fitzpatrick stated he has received several verbal objections, in fact, one person who signed Mr. Ruble’s petition said he really didn’t want to sign it. This lead into Mr. Ruble asking what is being done to have a stop sign installed at the intersection. The committee members tried to explain to him that the engineer had made it clear there is not a need for the stop sign to be placed there. He said he disagrees with the engineers comment in the report that this is a “mid-block” intersection. He stressed again and again this is not a mid-block intersection. He and Mr. MacLachlan had an animated discussion about the engineers report. Mr. Ruble then asked how many members on the committee still are receiving paid health benefits from the township. Mr. Ruble complained that at the Joint Land Use Board meetings when anyone brings in maps or other things to show they are positioned so the audience cannot see what is being shown. He said in other townships he has been to they have ways that the audiences are able to view the maps, etc. Mayor Dickinson said they would look

into that. Mr. Ruble brought up the fact that there were problems during the past snow storms with being able to locate fire hydrants. He said he had spoken to Mr. Tuliano about it and was told the water company owned them and did not want anything attached to them. Mr. Tuliano said he had indeed contacted New Jersey American Water concerning that and they advised the township not to do it. Mr. Ruble said he had spoken to someone at the company and that person told him they work with townships, in the winter months, to put markings on the hydrants that could be a problem area. Again, Mr. Tuliano reiterated that he has spoken to NJAW and they advise against it and we are not going to subject the township to liability if something happens. Mayor Dickinson said the fire companies have a map to determine where the fire hydrants are located. Mr. Ruble reminded them that when there was a fire on Creek Road the fire company rolled out 1,050 feet of hose to come down to the house when there was a fire hydrant less than 100 feet from it. Mr. Tuliano said Mr. Ruble had been advised to take that up with the fire company because the township does not interfere with the fire department and how they are trained to fight a fire. He suggested Mr. Ruble get in touch with the fire chief regarding that because it was a Mt. Laurel fire truck involved with the fire. Mr. Ruble then asked when the new website is going to be put together and work right. He said he can't find anything on it anymore. Mayor Dickinson told him it is a work in progress. He and Mr. Tuliano explained to him that when the web master is putting new things up daily and when she is finished the website will be extremely easy to navigate and he will be able to locate whatever he is looking for. Mr. Ruble asked Mr. Fitzpatrick if he is doing anything to stop the committee members from receiving health benefits. Mr. Fitzpatrick answered he is trying to do what he can. Mr. Ruble suggested the township put names on the back of the memorials so people could sit on the benches and read the names.

- **Pat Mackin, 116 Masons Woods Lane** – asked what the letter from the DEP said about the HITCO property. Mr. Tuliano told her the studies are still being conducted. She asked if the contamination has moved closer to the diner again. Mr. Tuliano told her it had never been moving east, just the opposite. She then asked if there has been any more movement and he said he was not aware of it moving. She asked how often there were reports given and was told there was no set schedule. The DEP and the environmental group have a schedule that they keep; a lot of it is based on the availability of grant money from the DEP. What they do, and they haven't done this yet, is sink the test wells a different distance from the property; if they come up with the type of contamination that they are looking for then they will expand the distance and keep expanding it until they come up with a clean reading. At some point in time the DEP will end the testing stage and will authorize a cleanup stage and authorize the money; we are far from that stage at this point. So far it has been about a ten year process. Mrs. Mackin said she had looked on the website at the agenda for tonight's meeting and it said in the "comments from the administrator" there is an objection to a stop sign from Masons Woods's residents. She asked why it is under "comments from the administrator" and not under correspondence. Mr. Tuliano explained to her that he tries to make the agenda as fluid as possible so that we can get to the last

minute things before the agenda is “turned off”. If something else comes in after the copies for the agenda are done then it is added. Mrs. Mackin continued to ask Mr. Tuliano why the email was not put under correspondence and then asked if it could be read aloud. After asking Mayor Dickinson if he could, and was given permission, he read the email to the committee and audience. The email stated that not all Masons Woods’ residents want a stop sign at the intersection of Creek Road and Masons Woods Lane. The person also said he/she doesn’t think the speed humps on Creek Road are necessary nor does he/she believe the four-way stop signs at Creek and Mt. Laurel Roads should be there. Mrs. Mackin repeated her opinion on the Creek Road/Masons Woods Lane intersection. She then started talking about Florence Township; she went to a meeting there and has such an open government. She went on to say that Florence Township puts a draft of their meeting minutes up on the website for the people to see before they are approved by the committee at the next meeting. That gives the residents the opportunity to read the minutes and if they have any questions or if something is wrong they can bring it to the committee’s attention and if there is a mistake or somebody was miss-quoted it can be addressed before the committee gets the final copy. Mrs. Mackin said it is possible and Florence Township does it so maybe Hainesport Township should talk to the people there. Mayor Dickinson said he has talked to them and will take a look to see how they put their minutes up there. Mrs. Mackin said Hainesport Township needs more open government.

- **Jennings Black, 2505 Elm Avenue** – got up again to say that he is not a big fan of speed bumps. In an emergency every minute counts and when someone is trying to rush another person to the hospital speed bumps slow you down. Sometimes minutes, even seconds are important, and they can be a problem. Mayor Dickinson said he has talked to some residents on Deacon Road and they do not want speed bumps there.
- **Catherine McNelis, 407 Bischoff Avenue** – said the committee must think the people that want a stop sign at the intersection of Masons Woods Lane and Creek Road are idiots if they believe a mid-street intersection is the same as an intersection with a street that has three “footages” at it. She went on to chastise Mr. MacLachlan for trying to shove it down peoples’ throats that it is mid-block. She continued with saying she can’t believe the committee could fall back on an engineer who obviously was told to send that information in; or else he has something else wrong with his brain. Mr. MacLachlan tried to calm Mrs. McNelis down but was unsuccessful.
- **Laurie Valvardy, 911 Deacon Road** – said that we live in a really nice town and agrees with having the better lights installed because it keeps up with the standard of our town. She is worried about the problems with the kids. She works in Camden and she knows about the cameras they are starting to install on the street lights; what they do is put a socket up at the top of the street light pole and that is where the overhead cameras are connected. They are on motion detectors and the tapes are kept for thirty days and then are taped over. She said some of them

aren't real cameras but the people don't know which is real and which is not. Mrs. Valvardy said the speeding had slowed down on Deacon Road with the presence of the State Police but is starting to pick up again. She suggested someone start up a neighborhood watch and they could talk with the State Police and keep up their presence; as things go on they tend to lax.

12. **COMMENTS FROM THE ADMINISTRATOR**

A. **Meeting with County for Route 38 Discussion**

Mr. Tuliano said he needs some dates that a couple members of the committee could meet with county regarding the Route 38 project. Mr. Boettcher said he would like to be part of that meeting since he has been a part of it before. Mr. MacLachlan said he would like to be included. Mr. Tuliano said it was up to the mayor to select two members. Mayor Dickinson said he would check with them and get back to Mr. Tuliano tomorrow.

B. **Mount Holly MUA Connection Obligations**

Mr. Tuliano said he had met with Bill Dunn from the Mt. Holly MUA today and they had worked out a plan to get this accomplished so he is pulling this from the agenda.

C. **Objection to Stop Sign from Mason's Woods Residents**

Since this has already been discussed, **Mr. Tuliano** did not have to go over it. Mr. Tuliano told the committee there will be the opening of the new sewer plant in Lumberton on Friday June 17th at ten o'clock if anyone can make it.

Mr. Tuliano reminded the committee that he needs them to sign the audit before they leave tonight.

13. **COMMENTS FROM THE SOLICITOR**

Mr. Costa - had no comments tonight.

14. **COMMENTS FROM THE COMMITTEE**

- **Mr. Boettcher** – had no comments tonight.
- **Mr. MacLachlan** – announced that Patrick Byrne is now a resident of Georgia.
- **Mr. Porto** – said the county government is going to clean up their highway department building on the Maple Avenue site in the Clermont section of town. They have a state of the art cleanup operation set in

place. There was a public venue where residents were allowed to ask questions; if anybody has any questions they can contact him and he will look into it. If he doesn't already have the paperwork and documents to show he will get them. They are cleaning up, primarily, gasoline and anti greasing compounds that were part of their highway department operation. This is for soil contamination and they have already met with three property owners whereas they are going to do samples of the soil for the properties to make sure the residents' concerns are looked into. It was pointed out by Mr. Porto that township meeting minutes are approved by the committee; it is not a public hearing and it is not something that requires a referendum vote. The minutes are kept for the township committee and are put together by the municipal clerk and are certified and approved by the committee. If someone would like to express their self or add something to the minutes they can speak at the public comments section and their comments will be recorded into the meeting minutes for all to see. People don't go to Congress or the State Legislature and demand all their documents and meeting minutes before they are approved. That's what we have; a representative democracy not a Greek style democracy where everybody has a vote at every meeting. Mr. Porto said the committee should be voting soon on a resolution to put speed bumps on Deacon Road and the access road to the state park. There is a straightway on Rancocas Avenue, between Broad Street and the state park, where people pick up speed just like on Deacon Road. People have talked to him about it and they have asked him to work on getting speed bumps. In the past weeks the township has been able to get them for Creek Road and residents have acknowledged they have helped to lower the speed. Mr. Porto said with the state park and our own park improvements it is essential, at least on Deacon Road, to get speed bumps put in. Mr. Porto explained that the reason he voted for the higher quality lights in the park is because this is a long term project that Hainesport is going to look at for several decades. We started out without any county grants and now the county has awarded us \$500,000 to do even more and if we had not accepted it, it would have been awarded to other municipalities. Yes, it is our money, but we are using it to improve our town and make it a better place. He said he is glad the county recognized we have an excellent park project moving forward to tie into Longbridge and Rancocas State Parks and make Hainesport a very nice place, not only for residents to enjoy, but people that visit.

- **Mr. Fitzpatrick**– said he was happy to report that Steve Maranz put together a great poker night for the township and brought in over \$10,000 for the school. Even the professional dealers said how surprised they were for the first outing of such an event. He said Mr. Maranz should be recognized for doing such a great job.

- **Mayor Dickinson** – said how excited he is for the park project; there are many people that utilize the park; it is busy all day long. He said we will sit down and speak with the State Police. It isn't fair for what we pay for our houses in Hainesport and have some people ruin it for us. There were lot of great suggestions tonight.

15. **BILL LIST**

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

16. **EXECUTIVE SESSION**

A. **Resolution 2011-85-6** – Resolution to Enter into Executive Session

**Motion: Committeeman Boettcher. Second: Committeeman Porto.
All yes.**

- Litigation – Tax Appeal
- Land Sale Discussion
- Disciplinary Hearing – since this was already taken care of earlier, this won't be heard now.

17. **ADJOURNMENT @ 10:14 P.M.**

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

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
JULY 12, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of July 12, 2011 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 Fitzpatrick, Deputy Mayor Porto and Mayor Dickinson. Also present were Township Administrator/Clerk Paul Tuliano, Jr. and Solicitor Theodore Costa. Committeeman MacLachlan was absent.
4. **MINUTES**
 - A. **Approval of Regular Committee Minutes of June 14, 2011**

Mr. Porto asked if the minutes could be corrected to specify what he said during the public comments. He said the purpose of the meeting minutes is not for public approval.

Motion: Committeeman Porto, with the correction. Second: Committeeman Fitzpatrick. All yes.
5. **REPORTS**
 - A. **Tax Collector** – June, 2011 Monthly Report & Quarterly Report

Motion to accept the reports and spread the Tax Collector’s report across the minutes: Committeeman Boettcher. Second: Committeeman Fitzpatrick. All yes.
 - B. **Code Enforcement** – June, 2011
 - C. **Fire Official** – June, 2011
 - D. **Construction** – June, 2011

**Motion: Committeeman Boettcher. Second: Committeeman Porto.
All yes.**

6. **ORDINANCE**

- A. **Ordinance 2005-18-10** – An Ordinance of the Township of Hainesport, County of Burlington, and State of New Jersey Adopting a Stormwater Control Ordinance as required by the Hainesport Township “Stormwater Management Plan” (SWMP) and in accordance with NJAC 7:8 (**Public Hearing and Final Adoption**)

No public comments.

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

Mayor Dickinson said there is another ordinance that needed to be added to the agenda;

Ordinance 2011-9-7 – An Ordinance Appropriating Funding from the Capital Improvement Fund for the Purchase of Public Works Equipment and Recreation Project Expenses

**Motion to amend the agenda to insert the above ordinance:
Committeeman Boettcher. Second: Committeeman Fitzpatrick. All
yes.**

Mr. Tuliano said the items for Public Works had been requested by Jay Jones, the foreman around budget time. There is money appropriated in the Capital budget for the requested items. The items include: a vehicle similar to the “gator truck” being used to travel around the municipal complex, a chipper for the brush and a truck for leaf collection. This would be similar to the truck Mr. MacLachlan talked about at budget time; it would be able to be operated by one man and could also be equipped with a plow to use during snow storms. The final item would be the completion of the park project. We did get two grants from the county totaling \$500,000.00 to help with the projects, but it appears the township will be about \$30,000.00 short after the grants are applied. If the committee approves the ordinance tonight for introduction it will come back next month for public hearing and final adoption. Mr. Tuliano said there will need to be some lead time with a couple pieces of the equipment so it can be manufactured and sent out here so they will be ready for leaf season and continuation of brush season. He also added the gator truck is used by the fire company to help with plowing snow off the apron in front of the fire house.

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

7. **RESOLUTIONS**

- A. **Resolution 2011-87-7** – A Resolution Authorizing Issuance of Raffle License to Our Lady Queen of Peace Church

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

- B. **Resolution 2011-88-7** – Resolution authorizing Easton Way Paving Project Phase I Change Order No. 2

Mr. Tuliano said this is actually a reduction in the final amount to be paid to the contractor for some additional work that had to be done in landscaping.

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

- C. **Resolution 2011-89-7** – Resolution to Renew Membership to the Burlington County Municipal Joint Insurance Fund

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

- D. **Resolution 2011-90-7** – Resolution Demanding Legislature Distribute State Aid for Education on an Equal Basis

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

- E. **Resolution 2011-91-7** – Resolution Approving Expenditure of COAH Funds to Purchase a Tartan Lane COAH Unit – **113 Tartan Lane**

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

- F. **Resolution 2011-92-7** – A Resolution to award a Contract for professional Fees for Phase III of the Municipal Park Project – **Ragan Design**

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

- G. **Resolution 2011-93-7** – A Resolution to award a Contract for professional Fees for Phase IV of the Municipal Park Project – **Ragan Design**

Mr. Tuliano asked the committee to reduce the fee, for the time being, to \$10,000.00. We will have to come back with another resolution later on this year for the additional \$20,000.00, if the ordinance that was just introduced is approved.

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

H. **Resolution 2011-94-7** – Resolution Authorizing a three Year Extension of the RecycleBank Program

Mr. Costa stated the projected date for the three year contract to expire says 2012 and it should read 2014. Mr. Tuliano agreed. He went on to say that the committee originally approved the contract for two years and it has now expired. The RecycleBank has asked that we renew for three years.

Mr. Tuliano reported that Hainesport Township is eighth, out of forty, in the county for recycling but the residents are not using the discount coupons the program offers.

Mr. Fitzpatrick asked if we couldn't get the word out better to the residents. There was a discussion about reasons the residents are not taking advantage of the program. The township pays \$1,200.00 a month for the residents to participate in RecycleBank. The residents are doing a great job recycling which helps reduce the landfill fees. The RecycleBank said at the beginning of our contract that they would have discount coupons from local businesses.

Mr. Tuliano suggested a meeting with the company to determine if the contract could be reduced to a one year extension. Then we can see if we can get the people to start using the program in order for it to benefit the township and the residents. After more discussion it was decided to delay deciding anything until contact is made with company representatives.

I. **Resolution 2011-95-7** – Resolution Authorizing Payment for Delinquent Taxes and Lien Certificate

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

8. **COMMENTS FROM THE PUBLIC**

- **H Krollfeifer, Jr., 23 Easton Way** – said his wife has been calling the RecycleBank every month for the last 4 months asking for a list of participating vendors and their location. She did receive a partial list and it was for things that may not be necessarily used and what is of interest. Mr. Krollfeifer said it's not that people don't have any interest in the program; it's that the coupons that are available are not something they would use and they have to be redeemed in places like Voorhees which is too far away to take advantage of. Mr. Tuliano said when the township sat down with the recycle bank they said that they would have a good number of local businesses participating; they sold us on the idea that it is pretty prevalent in other municipalities. They get the local businesses and then branch out from there. Mr. Porto said they got a coupon for Home Depot but you have to use it in Pennsylvania and it was agreed that is not local. More discussion

followed and Mr. Tuliano said what they promised 2 years ago is not being followed and the township will definitely follow up on this.

- **Leila Gilmore, 101 Devon Lane** – said when the program for the Recycle Bank first started she signed up and when she received her coupon for Shoprite it was for the one on Union Mill Road in Mt. Laurel or the one in Cherry Hill or the one behind the Moorestown Mall. Mrs. Gilmore went on to say it isn't worth using the coupons if the businesses aren't local.
- **Peter Ruble, 2525 Creek Road** – said the best microphones in the room are the ones used by Mr. Boettcher and Mayor Dickinson; he can hear all comments from them but it is difficult to hear the others because they don't sit close enough to the mikes. Mr. Ruble asked for an update on the 4-way stop sign at the intersection at Creek and Mt. Laurel Roads. Mr. Tuliano told him Hainesport Township has completed what needed to be done on their part and now everything is in the hands of the county and the state. Mr. Ruble asked what the status is on the 3-way intersection at Creek Road and Masons Woods Lane. Mayor Dickinson reminded him that the engineer had given his answer and the 3-way stop sign was not warranted. Mr. Ruble asked what the reasons were and Mayor Dickinson told him. Mr. Ruble went on to say that the minutes from a previous meeting mentioned what he had said about a version of "mid-block" was his opinion. He said that it is not his opinion; it is a fact and went on to read definitions of the word "mid". He again said the intersection is not at mid-block. Mr. Porto said speed bumps had been placed on Creek Road and they have slowed down traffic and Mayor Dickinson said the township would look into the situation again. Mr. Ruble asked who had started the five-minute rule concerning public comments and Mr. Boettcher told him he had started it because of some people rambling on about the same thing over and over again. There was discussion between them about that situation. Mr. Ruble brought up the fact that some townships had overhead projectors and thought Hainesport should get one also. Mr. Fitzpatrick said this is Hainesport and we don't have to do what other townships do and he is happy with what we are doing. He said the other townships may be in debt because of everything they have. He doesn't care about what Florence or Lumberton do; if he cared about the other townships he would go there. Mr. Ruble said he thought it was ignorant to suggest that he go there; he doesn't want to go there, he wants Hainesport to change things here. Mr. Porto mentioned that whenever there is a presentation they are put up for the public to see and the professionals stay after the meetings to answer any questions the residents may have. Mr. Ruble said it is more important for the Planning Board meetings to have the projector. Mayor Dickinson interjected that it isn't a bad suggestion to obtain a projector. Mr. Ruble then asked if there is a limit to having yard sales. Mr. Tuliano said the reason there are any regulations is to prevent a person from having a yard sale every day; that would constitute a business and that is what would need to be regulated. Mr. Ruble then said that he thinks there should be some kind of disclaimer stating that what is on the internet for the minutes is not necessarily what happened. He went on to say that when he brought up the Data

Universe website on the Courier Post site what was put in the minutes wasn't correct. He made it clear what information a person could obtain about municipal employees; anything you want to know you can find on this website. Mr. Tuliano said the minutes would not be verbatim while he is the clerk of the township; the minutes are a synopsis of what was said in the meetings. If someone wants to hear exactly what was said at any meeting they can get a copy of the tape. Mr. Ruble then went on to comment about the road repair on Creek Road. He said Mr. Tuliano had told him the engineer said it was from the drain lines. He asked Mayor Dickinson if he had gone there and checked it out. He also said there are 5 more problems on the road, pointed out where they were and asked if there was a reason why they hadn't been smoothed out. Mr. Tuliano told him the water company had just recently done some work at a couple spots and the ground had to settle before they could finish off the repairs. Mr. Ruble said he thinks the township should go back to having 2 meetings a month.

- **Pat Macken, 116 Masons Woods Lane** – asked what the \$30,000.00 for the park project was for and what is left to be done in Phase IV. Mr. Tuliano explained it is to accomplish the links to the county park; there will be another extension to the walking trail, a new tennis court, a walking bridge that goes over the wetlands to link the trails over by Deacon Road and there will be some trees that will be placed around the complex and walking trails. He said the project was estimated to be somewhere around \$350,000.00; \$250,000.00 is coming from the county. Mrs. Macken asked about the landscaping on Easton Way. It was explained to her that when there was work being done on Easton Way the contractor damaged a resident's lawn and sprinkler system. The township had to have a landscaper come in and repair that; this is a credit for the money that had to be paid out by the township. Mrs. Macken said she wanted to explain that the speed bumps have slowed traffic down where they have been placed. It is when the vehicles clear that area that they speed up; they have done their job at the top end of Creek Road, it is on the bottom end where there is a problem. Mr. Tuliano asked her if she thought it could be corrected with another speed bump. She answered she is sure it would help; anything to slow the drivers down would help. Mr. Tuliano said he doesn't want to continue an issue that was already discussed, but there is a lot of misunderstanding regarding the stop sign. If another speed hump or 2 would help then maybe the township should consider it. Mr. Tuliano brought up the fact that Mrs. Macken had talked about Florence Township allowing their residents to make changes to the minutes. They had a discussion about it and Mrs. Macken said she wasn't sure how they manage it but the way it was presented at the meeting she attended was that the minutes could be changed by the residents.
- **Catherine McNelis, 407 Bischoff Avenue** – said that Florence Township has three hearings with the public; the first one they discuss the minutes and you can tell them if there is something you don't agree with; they then go on with the meeting; then they have another one that she doesn't remember what it's for; they then approve their minutes if everybody is happy; then at the end of the meeting

they have their final public minutes. She said it works out very well. She said she has never been to a meeting where they are so happy to see people in the audience. The township is happy to get the comments from the public. Mr. Fitzpatrick said this township would love to have more people come to the meetings and talk the praise of this town; how great this town really is, and the things that are done instead of the same two or three that come and “bitch” at them every month. Mrs. McNelis said that is his opinion and is exactly why no one comes out because of their opinions. She went on to say that Mr. MacLachlan told her that if they talked nicer to the committee members they would get so much more from them. She then started mimicking someone pleading for things. Mrs. McNelis said she had talked to Mr. Miller regarding Creek Road and he said the intersection being talked about is a “t” intersection. She asked why the engineers are calling it a mid-block intersection and he realized what he had said and said the other side is a mid-block. Mrs. McNelis said she had talked to the county engineer. Mr. Fitzpatrick commented that, like Mayor Dickinson said, they should talk to Mr. Miller to see why he is talking out of both sides of his mouth. Mr. Tuliano interjected the committee should bring him in on the carpet. The county engineer told Mrs. McNelis you can’t have a mid-block on one side of the street and a “t” on the other side of the street. She informed the county engineer it is horrible to see coming out of Masons Woods Lane in a car. She said she had asked Mr. Tuliano if Public Works could come out and clean some of the bushes to keep that area clear and he told her it was not the township’s responsibility; the county engineer told her it is their responsibility. At that point Mr. Tuliano told her he is going to have to go back and look at the minutes; he can’t imagine saying that to her, but if he did he apologizes. He said it is the township’s responsibility for the sight line. He also said there have been different opinions on what can and cannot be seen at that intersection. He also guarantees he will go there tomorrow in a car, sitting low, to see what can be seen that way. Mrs. McNelis suggested that he see how far out he has to go to see the vehicles coming because of the curve in the road. She said that Mr. Miller told her there is no curve on that road and she knows there is. She said with the trees, the bushes, the hill and the curve, your sight is restricted. Mayor Dickinson told Mr. Tuliano he would go with him tomorrow and also said they should call Mr. Miller in to talk to him. Mrs. McNelis talked about the difficulty she is having with her neighbors with parking on the street and creating a problem with how and where she can put her recycling cans and also causes her to drive around the vehicles because of how they are parked. She doesn’t understand why they don’t make more room in their yards for parking like she does. She asked if the township could put up a sign saying “No Overnight Parking”. There was a discussion whether or not that could be done and Mr. Tuliano said he would have to look into the situation concerning it. He wondered if it would cause problems with other residents in other parts of the township. Mrs. McNelis said she doesn’t want to cause problems with anyone but would like everyone to be more courteous when parking their vehicles and to consider others. Mrs. McNelis continued to give examples of what some people do that cause the parking difficulties. Mr. Tuliano told her there are some things that the township can regulate with parked cars but most of the things she is talking about are regulated

by the State Police and they are who she may have to contact. She said she would rather take care of it herself.

9. **COMMENTS FROM THE ADMINISTRATOR**

A. **Recycling Report** – stated that as he had talked about earlier, the residents are 8th of 40 in the county for recycling. The residents are definitely recycling; just not taking advantage of the points with RecycleBank. He also said he has a very good idea why and will have to explore that and hopefully resolve it.

B. **Park Project Phase III to Begin Soon** – Pre-construction Meeting July 13, 2011

Mr. Tuliano said there is a meeting with the contractor and the architect, Ragan Design, who will be instructing the contractor on what the game plan is. They will be told what the rules are, what we expect them to do as far as the time line is concerned. He anticipates the project will begin very soon, within the next few weeks. The contractor must be made aware that we don't want much of a disruption out there; there is no need for a major disruption of this complex while they are doing the job they will be doing. Also, they need to know there should be no equipment out there and everything be opened up when Community Day is held. The time of the meeting will be 9:30 or 10:00 in the morning.

10. **COMMENTS FROM THE SOLICITOR**

- Thanked the people for letting him know how to redeem his points for the RecycleBank.

11. **COMMENTS FROM THE COMMITTEE**

- **Mr. Fitzpatrick** had no comments this evening.
- **Mr. Porto** had no comments this evening.
- **Mr. Boettcher** had no comments this evening.
- **Mayor Dickinson** - said it had been an interesting meeting. Some of the comments made show that we are more worried about Hainesport than other municipalities. We definitely like suggestions about other towns but we also know about the problems in other towns. He thanked everyone for coming out.
- **Mr. Tuliano** – said there had been suggestions by some members of the committee and the public to install some speed humps. He thinks we need some dialogue on that at some point in time to get that project moving if we are going to do it. If we are not then we should probably scratch it.

- **Mr. Boettcher** said if we are going to put some speed bumps in we should definitely consider Deacon Road where the entrance of the park is and a couple other spots on that road.
- **Mr. Porto** also suggested some areas on Deacon Road.
- **Mr. Fitzpatrick** asked if they were just talking about Deacon Road or other places throughout the township.
- **Mayor Dickinson** asked Mr. Tuliano to give them another list of the requests to be examined again. There were several other suggestions by the members.
- **Mr. Porto** said that during the November meeting it was mentioned that if there were going to be more than a few speed humps they should be able to get a better cost per speed hump.
- **Mr. Fitzpatrick** suggested that subject be brought up at the next meeting and it was agreed to do so.

12. **BILL LIST**

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

13. **EXECUTIVE SESSION**

A. Resolution 2011-96-7 - Resolution to Enter into Executive Session, if necessary.

It was not necessary.

14. **ADJOURNMENT @ 8:45 P. M.**

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

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
SEPTEMBER 13, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of September 13, 2011 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 J. Tuliano, Jr. and Solicitor Theodore Costa.
4. **MINUTES**
 - A. **Approval of Regular Committee Minutes of July 12, 2011**
Motion: Committeeman Fitzpatrick. Second: Committeeman Boettcher. All yes.
5. **REPORTS**
 - A. **Tax Collector** – July, August, 2011
Motion to accept the reports and spread the Tax Collector’s report across the minutes:
Motion: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.
 - B. **Code Enforcement** – July, August, 2011
 - C. **Fire Official** – July, August, 2011
 - D. **Construction** – July, August, 2011

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

6. **DISCUSSIONS/PRESENTATIONS**

A. **Burlington County Cloggers – Community Day Participation**

Motion for the Township to make a donation of \$50.00 to the Burlington County Cloggers: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.

B. **Speed Hump Request**

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. At the next meeting they will discuss locations for the speed humps.

C. **Best Practice Questionnaire**

The State of New Jersey sent out a form they developed that every municipality in the state must complete. We have answered all 50 questions and returned the form. Attached to the local finance notice the committee will see the actual questions and answers; the State has decided that if a municipality answers certain questions in the negative they will lose some state aid. The same questionnaire was required last year. The Township is compliant, therefore did not lose any state aid.

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

7. **ORDINANCE**

A. **Ordinance 2011-9-7 – An Ordinance Appropriating funding from the Capital Improvement Fund for the Purchase of Public Works Equipment and Recreation Project Expenses (Public Hearing and Final Adoption)**

There was one minor typo Mr. Tuliano wanted to mention: In section III the amount reads \$235,000 and it should read \$242,000. Mr. MacLachlan explained to the public this for the purchase of a one man leaf pickup vehicle. It should be much safer for the men to operate. He went on to say the truck should help to avoid injuries and/or fatalities compared to the way the men have been picking up leaves with the equipment that they are working with now.

Mr. Tuliano said this is just putting the financing in place; after this we have to do the legislation to purchase the truck. Mr. MacLachlan stated the money is already in the capital budget and Mr. Tuliano agreed. The meeting was opened for public comment. No one came forward and the meeting was closed to public comment.

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

B. Ordinance 2011-10-9 – An Ordinance to Release, Vacate and Extinguish any and all Public Rights to Industrial Boulevard (**Introduction First Reading**)

Mr. Tuliano said this is off Lumberton Road and goes over to Paul's Tank Farm. The first half of the road was vacated several years ago.

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

C. Ordinance 2011-11-9 – Ordinance Authorizing Purchase of COAH Property - **113 Tartan Lane (Introduction First Reading)**

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

Mr. Tuliano asked the mayor to announce that the two previous ordinances that were just introduced will have public hearing and final adoption at the next meeting October 11, 2011. Mayor Dickinson did so.

8. RESOLUTIONS

A. Resolution 2011-97-8 – Resolution Authorizing the Appointment of School Crossing Guard – **Dot Baldwin**

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

B. Resolution 2011-98-8 – Resolution Authorizing Hainesport Park Expansion Project Phase III Change Order No. 1

Mr. Tuliano said the pedestrian path going to Longbridge Park had to be re-located and there was a change in the timber specifications for the exercise stations.

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

C. Resolution 2011-99-9 – Resolution Authorizing Employment for Seasonal Public Works Employees

Mr. Tuliano explained that one of the Public Works employees is going to be out for an extended period of time due to surgery and we need someone for leaf season. The money is in the budget.

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

- D. **Resolution 2011-100-9** – Resolution Authorizing Final Payment and Change Order No 1 of the Easton Way Phase II Project

Mr. Tuliano said this will close out the Easton Way Project; the grant we received last year of \$180,000 is the final payment and the change order for that project.

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

- E. **Resolution 2011-101-9** – Resolution Authorizing Hainesport Park Expansion Project Phase III Change Order No. 2

Mr. Tuliano said there are four different projects that need to be expanded; one is to add eight inches of stone to the one exercise station plot to let the water drain through it without flooding the rubber mulch that will be on it.

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

- F. **Resolution 2011-102-9** – Resolution to Award a Professional Services Contract for Engineering Services for the 2011 Community Development Block Grant

The Community Development Block Grant for this year is \$57,000. That money will be used primarily for the Street Center; the roof will be replaced, the aluminum siding will be installed, the bricks will be cleaned and repaired and new gutters will be installed. With the last CDBG the Township received we did one half of the door with an automatic door opener at the Municipal Building; this year we will do the other half with an automatic door opener. This is the professional services contract for the engineering. Mr. Tuliano just received the contract 2 hours ago if anyone would like to look at it. Mr. Boettcher asked if there would be a roof or some kind of cover placed over the stairs going down to the basement. Mr. Tuliano said he had forgotten to mention that the drain at the bottom of the stairs will be completely rebuilt and that should take care of the problem there; if it doesn't they should consider covering the stairs.

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

- G. **Resolution 2011-103-9** – Resolution Accepting Land to be Dedicated to Open Space

Mr. Tuliano said this runs behind Beacon Hill down to the creek. If the Township accepts the land, Paparone is donating it to the Township. There is already a natural

path to Longbridge Park and this area is slated to be part of the Phase IV trail system from this park to Longbridge Park. Mr. Fitzpatrick asked how much land this entailed and Mr. Tuliano told him it was quite a few acres. Mr. Boettcher talked about how the county had wanted to have a road following the Rancocas Creek from Smithville to the Delaware River. During the development of the phase for Beacon Hill the county wanted access as much as possible and that was put into the agreement when they put the development in so the people had access to the creek area and also whatever the county was going to do along there.

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

H. Resolution 2011-104-9 – Resolution Approving Expenditure of COAH Funds to Pay Homeowner Association Dues – 147 Tartan Lane

Mr. Costa explained that this is an expenditure of the COAH fund and does not affect the budget of the Township. The homeowner passed away and the heirs did not want to continue to pay the mortgage. Therefore the property was in foreclosure by the bank which put the COAH status of the unit at risk. In order to prevent that the Township offered to buy the first mortgage, which it did. The Township is now finishing the up the process of foreclose. In the mean time, the woman did not pay homeowner's dues for at least a couple years before she died and none have been paid since. The association is doing what they can to collect the dues and made an agreement to waive all attorney's fees and late fees if the COAH pay the principal amount of the dues. He went on to say we would probably be reimbursed for the dues once we acquire the property and then resell it. Mayor Dickinson asked if the Township owns the property yet. Mr. Costa answered that we do not; the final judgment procedure is in the process now and we should be wrapping it up in the ensuing months with the sheriff sale. Mr. Porto stated he thinks this sets up a dangerous precedent; we are doing what is right for the development by making sure it continues as an age restricted property and affordable housing but we don't own the property and we are proposing to pay the homeowner's dues. What if another homeowner becomes foreclosed on as well and we continue to run up homeowner's dues. Mr. Costa asked if his concern was that we may not get the property at the sheriff sale and Mr. Porto told him no; we are doing the right thing to make the properties affordable and it's to the benefit to the community. If a homeowner goes through the entire process of foreclosure and the Township does not get involved it is a possibility that children could move in and the age restriction could be removed. Mr. Costa and Mr. Tuliano then answered several questions regarding the situation with this property and how they thought it should be handled. Mr. Tuliano reminded the committee that at some point in time the COAH fund will be empty. Also, if the state revises the COAH laws and we have a requirement and there is no money in the fund the Township will have to budget for that every year and the tax payers will be paying for it every year. Mr. MacLachlan stated the only way the COAH fund is filled is by builders and that has been suspended. After several minutes of discussion and serious consideration by the committee members it was decided to advise Mr.

Costa not to pay the homeowner's dues. They also decided to table the resolution until the next meeting and form a sub-committee to meet with Mr. Costa and the homeowner's association to discuss the matter further. Mr. MacLachlan and Mr. Porto both volunteered to be on the sub-committee.

Motion to table the resolution until after the sub-committee meets with the homeowner's association: Committeeman MacLachlan. Second: Committeeman Porto. All yes.

- I. **Resolution 2011-105-9** – Hainesport Township Final Approval of Farmland Preservation Application for the Cost Share Acquisition of Development Easements of the Murphy Farm

It was explained by Mr. Tuliano that the county has decided to purchase the farming rights to that particular property and the Township share for this is \$101,000. He said the open space fund has the money for this expenditure; it has approximately \$350,000 in the fund now. He also said he thinks this is the last large farm in Hainesport Township that is under consideration by the county for farmland preservation.

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

9. **CORRESPONDENCE**

- A. **Burlington County JIF Annual Synopsis**

Mr. Tuliano said this gives us an idea of where we are with our insurance coverage. Our assessment for 2011 is reduced by almost 2% from 2010. The JIF returned to the Township in dividends \$16,592 for 2010. Also, to date more than \$190,949 has been returned to the Township in dividends. The report also tells about the average meeting attendance for the 23 municipalities; Hainesport's attendance was 100%.

- B. **Public Works Thank You** – Handicapped and Snow Emergency Signs
- C. **Thank You to Hainesport Recreation for Bond**
- D. **Thank You to Hainesport Recreation for Bond**
- E. **Job Well Done From Resident for Kathy Newcomb**

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

10. COMMENTS FROM THE PUBLIC

Mayor Dickinson asked that the public comments be limited to five minutes.

Virginia Cliver, 118 Mt. Laurel Road – said that there was an awful odor in her yard the previous week so she called the Mt. Holly MUA, thinking it had something to do with the clean out in front of her house. The men came out and after checking things out they told her it wasn't from the sewer it was coming from behind her house and the closer they got to the back of the yard the more unpleasant the odor got. It was finally determined the smell was coming from the industrial park. Mrs. Cliver called Mr. Tuliano who in turn told her to call the Burlington County Health Department. When she reached that department, Robin, the girl she spoke to, told her they would be out the following week to check on the smell. She called Mr. Tuliano back and told him what was said and Mr. Tuliano sent out the Code Enforcement Officer, Ed Ruggiano. Mr. Ruggiano reported back that a business in the industrial park was washing out their dumpsters. Mrs. Cliver wondered where the sediment was going; was it going all over her yard and the yards of her neighbors? She went on to say she would like the township to find out where it goes and can something be done to prevent it from dispersing into their yards. It was decided to have the township send a letter to the DEP and the County Health Department. Mr. Tuliano explained what generally happens is that when a call like this comes in; if the call is made to the DEP, they would bounce it back to the County Health Department which is the enforcing agency. Mr. Porto asked if, when the letter is sent to the other two agencies, the Burlington County Freeholders could be cc'd to let them know about taking a week to get to the property. Mr. MacLachlan suggested that the owner of the property should also be notified about what was happening. It was agreed that the situation would be looked into.

Peter Ruble, 2525 Creek Road – suggested that instead of putting speed humps on Broad Street by the school that speed limit signs should be posted so they could be seen better and have the State Police enforce them. Mr. Ruble asked why the August meeting was canceled and Mayor Dickinson told him that Mr. Tuliano wouldn't be here and there was nothing on the agenda. Mr. Ruble asked why Mr. Tuliano had to be here, didn't he have a deputy administrator and was told he did not. He went on to say, "Canceling the August meeting, then we don't have a meeting till September; what goes through the September meeting won't come out until October, and then it won't be known after it's approved until after the election in November. It just seems like some things that we might have wanted to bring up that we feel should have been brought up to, bring up to township residents that now we won't be able to bring it up because the

meeting will be after the election.” Mr. Tuliano told Mr. Ruble that he has the opportunity every day to bring up township business to either the administration or to members of the committee. Mr. Ruble said he has called and been told that Mr. Tuliano won’t be back for a few days. He then talked about starting school seventy-four years ago and said one of the words he learned in school was the word “mid”. There was another discussion about the mid-block intersection on Creek Road. Mayor Dickinson told him the situation with that area is going to be re-visited again. Mr. Ruble then said some things were left out when he talked about Data Universe website at a previous meeting. He said if you go on to that website you can see what every individual in Hainesport Township earns. He insisted that this information be noted so everyone can know that. Mr. Porto told him that the same data is available on state government websites. He asked who determines where speed humps go. Mayor Dickinson said it’s usually the engineer. Mr. Ruble said the speed hump at 63 Easton Way is a dangerous section and now that people are cleaning up from the storms there is even less room for the cars to travel. He said if the engineer told them where that speed hump should be maybe it should be looked into why a speed hump can’t be put on a resident’s property line. Mr. Ruble commented that his five minutes was up but he considers that not very accurate to do because you can’t talk for five minutes at a meeting once you cancel; he thinks you should have two meetings a month. He said there was no business for the August meeting; he looked it up tonight and he couldn’t bring up the old agenda, and the township had something to do with a \$30,000 ordinance or something that had to be done. He didn’t see anything like that on tonight’s agenda. He asked if Mr. Tuliano knew what he was talking about. Mr. Tuliano said he didn’t know what he was talking about but there was one ordinance that was voted on this evening.

Pat Mackin, 116 Masons Woods Lane – asked how much money is in the Capital Improvement fund and Mr. Tuliano told her he would have to check into that. She asked Mayor Dickinson if he had looked into an attenuator. He replied that he had not had a chance to as of tonight. Mrs. Mackin proceeded to explain that an attenuator is pulled behind a truck, usually a dump truck which has to be a certain weight class to be able to pull it. She said it is like a bumper on a trailer when men are out working on the road. If a car was to come down the road it is their line of protection. She went on to say she has seen the pickup truck behind the chipper, but if a vehicle hits it the person working they would be dead. That is why she had asked about the Capital Fund; she wondered if an attenuator could be considered since the other vehicles were being talked about. She also asked the mayor if he had looked into Chevron stripes and was told he hadn’t been able to yet. Mrs. Mackin said she agreed with the committee about not paying the homeowner’s association fees.

Catherine McNelis, 407 Bischoff Avenue – said the \$30,000 Mr. Ruble talked about was to finish the recreation; the township needed that money to finish the trails. Mr. Tuliano told her that it was in this evening’s

ordinance. She said it was on last month's agenda and he said it was not imperative that it had to be passed last month. Mrs. McNelis said she has checked into it and it is not necessary that the clerk be at a meeting; as long as there is a quorum of three committee members; and there could have been a meeting last month. She stated there had to be something done about the parking on her street. She doesn't think she should go down an obstacle course to get to her house. She went on to talk about the problems she has had with a particular neighbor and Mr. Tuliano reminded her that she has been told to contact the State Police. At the last meeting the committee advised her to contact the State Police and she had said she would rather handle it herself than cause problems with her neighbor. Mr. Tuliano told the committee that the State Police could take care of the parking situation but Mrs. McNelis does not want them involved. He went on to say he acknowledges what she is saying and the township definitely wants to help. He stated she had told him an emergency vehicle could not get down the road if the cars were parked as she had described it. There was a discussion about what could be done to remedy the situation and several ideas were given. Mrs. McNelis talked about how narrow the street is and wondered if the township could widen it. The committee told her they would definitely look into what they could do to help her. She asked Mr. Fitzpatrick if he had said earlier that a speed hump cost \$7,000. He answered her that was for two and Mr. Tuliano said that is low for speed humps. Mrs. McNelis said she doesn't think the speed humps on Deacon Road are really speed humps; she said she went over them and barely felt them. Mr. Tuliano told her they are not completed yet. She went on to talk about the COAH situation; she doesn't believe that if people are in the predicament they are to have to have their mortgages reduced that they can be charged 18% interest for anything. Mr. Costa said no matter who lives in the development the interest is the same. Mrs. McNelis suggested when the township gets a grant they should use the money to put a sidewalk on the west side of the Municipal Building. She went on to comment about the mid-block situation and wondered why the committee hasn't brought in Mr. Miller to be talked to about the different things he has said to various residents. Mayor Dickinson told her the committee would bring him in.

H Krollfeiffer, Jr., 23 Easton Way – said he was waiting patiently this evening to talk about the four way stop at the corner of Mt. Laurel and Creek Roads; Mr. Krollfeiffer thanked the committee for helping to get the four way stop signs. He said he feels much safer going through that intersection. After an interruption from some members in the audience Mr. Krollfeiffer was able to continue. He said the homeowner's association at the Glen at Masons Creek is in the same situation as Hainesport Township is in on a different stand point, which is a property tax aspect; we budget for it, rely upon it and we want to get our money just like the association wants to get their dues. We have to look at the

whole thing but he thinks the part that is different is that we don't own property in all areas of town, whether they are COAH or not. More importantly, the township has stepped into the position as a bank by purchasing the mortgage on this one property. He doesn't think it's such a dangerous precedent that we have to look at; just don't purchase any more mortgages. In many instances when homes are under mortgage, if a person defaults, often the bank will pay the property taxes, the insurance and the homeowner's association dues to avoid a tax lien or a foreclosure. The reason he said that is that in this instance, Hainesport is the bank on the one property. He thinks it is a good thing that they slowed down and didn't run ahead and do something and will investigate the whole thing.

11. **COMMENTS FROM THE ADMINISTRATOR**

A. **Park Project Phase III Moving Forward**

Mr. Tuliano said the walking trail is complete for Phase III, the exercise stations are in the process of being built, the contractor is hoping to have them finished by Community Day; the lights to light up the trail have been ordered and are in the process of being manufactured right now. He said we hope they will be installed by fall.

B. **Creekview/Lakeside Maintenance Bond**

The issue over in Lakeside is the cave-ins; the engineer's office is pursuing the developers, K Hovnanian, to extend the maintenance bond. They have been put on notice and have agreed to do certain things; fixing other problems in the development and he just found out this afternoon there will be a meeting at 9:00 Friday morning. He will be in attendance and if two members of the committee would like to be there. The meeting will be in Mr. Alaimo's office in Mt. Holly.

C. **Thank You to Volunteer Fire and EMS for Hurricane Irene Duty**

Mr. Tuliano said he thinks the committee should thank the volunteers, EMS and Fire, for the duty they performed during Hurricane Irene. They did a tremendous job and fortunately Hainesport fared well during the hurricane.

D. **Township Fared Well During Hurricane**

A resident asked if he could park his motor home until all the flooding is gone.

E. **Thank You to Residents Catherine McNelis and Pat Mackin for Assisting with the Tree Removal on Creek Road during Sudden Wind Storm**

Mr. Tuliano thanked Mrs. McNelis and Mrs. Mackin for the good job they did when a tree came down on Creek Road after a strong wind storm. He said he pulled onto Creek Road and it was pitch black and he could hear and see some people cutting two trees that had fallen during the storm. Mr. Tuliano said he saw Mrs. McNelis, Mrs. Mackin and Mrs. Mackin's husband working on the trees. They did a really nice job on the trees. The audience applauded them.

12. **COMMENTS FROM THE SOLICITOR**

Mr. Costa had no further comments this evening.

13. **COMMENTS FROM THE COMMITTEE**

Committeeman Fitzpatrick thanked the fire company and the EMS for their work during the hurricane. He also thanked Mrs. McNelis and Mrs. Mackin.

Committeeman Porto also thanked Mrs. McNelis and Mrs. Mackin for their help and also the fire company and EMS volunteers for the serving our community during the past storms and earthquake. He said it has been a rough month for Hainesport. He said he is concerned about the comment that speed humps don't matter when we listened to lengthy discussion about speed humps needing to be installed on Creek Road. He said they slow the traffic down; they may not stop the car completely but they slow the traffic and he thinks it's needed on Broad Street near the school and post office. Mr. Porto welcomed everyone to come to the Community Day, September 24th, the last Saturday of the month. He will be in the dunk tank as usual and the proceeds will benefit the Education Foundation.

Committeeman MacLachlan he thinks it was a great meeting tonight. There was a lot of action going on and he said the committee was able to express their views on some things and it reminds him of the old times. He also extended his appreciation to Mrs. McNelis and Mrs. Mackin. He said he knows they are activists in the community and they care about what is going on. If he had known what was going on he would have come out and helped them.

Committeeman Boettcher thanked Mrs. McNelis and Mrs. Mackin for their help during the storms; it's nice to know we can argue and bicker back and forth but when it comes to help we all do. He also extended an invitation to everyone to come out for Community Day. It's a good time to get back at some people because they will be in the dunk tank.

Mayor Dickinson thanked all of the volunteers for the Fire Company and EMS but he also said he doesn't think everyone understands how much Mr. Boettcher and Mr. Tuliano do in these types of situations. He said he was with one or the other from Thursday throughout the weekend and Public Works was on call all weekend also. Just like it was said earlier, the community comes together when the need arises. It is a great town and a great crew.

14. **BILL LIST**

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

15. **EXECUTIVE SESSION**

Mr. Tuliano said he anticipates Executive Session will be a little while but does not anticipate there will be any formal action after then.

Resolution 2011-106-9 - Resolution to Enter into Executive Session - Personnel Issues

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

16. **ADJOURNMENT @ 10:47 P.M.**

Voice Vote: All Yes.

**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

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
NOVEMBER 9, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of November 9, 2011 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 October 11, 2011**
Motion: Committeeman Boettcher. Second: Committeeman MacLachlan.
All yes.
5. **REPORTS**
 - A. **Tax Collector** – September, 2011; Third Quarter, 2011; October, 2011
Motion to accept the reports and spread the Tax Collector’s report across the minutes Motion: Committeeman Boettcher. Second: Committeeman Porto.
All yes.
 - B. **Code Enforcement** – September, 2011; October, 2011
 - C. **Fire Official** – September, 2011; October, 2011
 - D. **Construction** – September, 2011; October, 2011
Motion: Committeeman MacLachlan. Second: Committeeman Boettcher.
All yes.
6. **DISCUSSIONS/PRESENTATIONS**

A. **Escrow Appeal** – Madison Ventures, LLC

Mr. Tuliano stated this issue came up about a year ago; this was a developer that had plans to develop the old Volkswagen dealership on Route 38, and for whatever reason, the project did not move forward. The developer met with the township on a couple different occasions and also appeared before the Joint Land Use Board on an informal presentation. For an informal presentation the developer is required to post an escrow to pay for the professionals, i.e. the engineer and the planner. The developer posted \$1,000 and the engineer did some background work on this particular development, checking out certain things that are normally done on a formal application. Subsequently, the developer pulled out and the project never got off the ground. The developer stopped by Mr. Tuliano's office recently and asked if the appeal before the township committee could be revisited and that is why it is being discussed now. Mr. MacLachlan said he would abstain from voting because the developer is a friend of his but he thinks the gentleman should be refunded at least half of the escrow money. Mr. Tuliano said if the committee decides to reimburse the developer the township will have to go to the engineer's office and ask them to give it to him. He went on to say that normally if the developer decided to move forward with the project the engineer would take a look at it and, based on the cost of the project, the engineer would come up with an amount of money that is needed to be deposited for a performance bond and escrow; that was never done because the project never got to that point. When we get those numbers the developer is then billed for escrow and they can put up fifty percent of the escrow fee. If a professional receives a packet for an informal before the Joint Land Use Board they should look at it and recognize the fact that it is an informal and hold up on anything until the developer decides that they want to move forward with the project. Mr. Costa interjected that he thinks the engineer should be paid something because we did participate in the process of the informal and would expect him to look at it. We are just saying that it is unreasonable to spend so much time and the engineer knew it was only an informal. He suggested making a policy to set a limit and ask the engineer if he can back off a little. We should try to see if a reasonable compromise can be made on this incident. After an extended discussion the recommendation is that the committee refund the developer the balance of what is in his account, which is \$645.00, and Alaimo Engineering be informed.

Motion: Committeeman Porto. Second: Committeeman Fitzpatrick. Committeeman MacLachlan abstained from voting.

B. **COAH Issues** – Glen at Mason's Creek

Mr. Costa said that at the last meeting we talked about whether or not we should allow COAH owners to list with realtors if they want to sell their property. A question came up as to whether that is legal. Mr. Costa said he has reviewed the COAH guideline that has been filed with the deed restriction in the Burlington County Clerk's Office; it is his opinion that as

long as the realtor's commission is paid by the owner exclusively the owner should be allowed to market the property with a realtor. This is subject to all the other deed restrictions; the age and COAH restrictions on the property. That would allow the owners to expand the pool of potential buyers. There was a discussion as to whether or not the township should continue with COAH properties and Mr. Costa said at some point in time we may feel we have nothing to lose and want to disband the whole COAH apparatus; if that is the case he is willing to participate in that discussion with the committee at any time. Mr. Tuliano stated he thinks there are some negatives involved in disbanding our current obligations with COAH at this moment; he thinks if the housing market ever turns around before some property along Route 38 is developed or if a horse farm is developed there is a possibility that we may lose control over zoning. He also said he thinks we should bring in an expert on COAH to let us know where it's at, what we can do and if there are any legal ramifications for doing what needs to be done to benefit the town. He said if the committee decides to go that way we invite someone in to talk to them. If they are comfortable with that, fine, and if not we move on the way we have been moving. The Township Committee directed Mr. Tuliano to contact an expert in COAH and make arrangements to have that person address the full Committee.

7. **ORDINANCE**

- A. **Ordinance 2011-10-9** – Ordinance to Release, Vacate and Extinguish Any and All Public Rights to Industrial Boulevard (**Need Vote Only**)
There was a question from the audience asking what the correct name of the street is and it was stated according to the tax map Industrial Boulevard is correct.

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

8. **RESOLUTIONS**

- A. **Resolution 2011-113-11** – Resolution Authorizing Issuance of Raffle License to Hainesport Soccer Club

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

- B. **Resolution 2011-114-11** – Resolution Authorizing a Contract for the Disposal of leaves for Hainesport Township – **D-J Excavating, Inc.**

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

- C. **Resolution 2011-115-11** – Resolution to Accept Bid and Award

Contract for Purchase of TARCO 4025 TYPHOON One Man Vacuum Yard Waste Truck – **Cherry Valley Tractor Sales of Marlton, NJ**

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

- D. **Resolution 2011-116-11** – Resolution Authorizing Change Order No. 1 for the Lawn Care and Field Maintenance Contract – **South Jersey Turf Consultants**

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

There was a request to amend the agenda to add another resolution;

Motion to amend the agenda: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.

- E. **Resolution 2011-118-11** – Resolution to Release Performance Bond for the Deacon Woods Project

Mr. Tuliano said the resolution will not be enforced until a maintenance bond and escrow, as listed in the resolution, are delivered to the township. He spoke to Bill Banks who was supposed to have it here before today but was unable to do so. It is on its way and as soon as that happens, he'll get the resolution, he can take that to the bank and the bank will release the performance bond.

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

9. **BUSINESS**

- A. **Purchase of Snow Plow for Kubota - \$3,096.00**

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

10. **CORRESPONDENCE**

- A. **Whitman** – Reference HITCO Status
- B. **School Superintendent** – Thanking Committee for Crossing Guard Appointment – **Dot Baldwin**
- C. **E-Mail from Resident** – Reference Deacon Road Speed Humps

Mayor Dickinson commented that it is funny; the speed humps were put there to slow down traffic which they definitely are. He said he thinks people forget that in the long run; everyone complained that the other speed humps were too small and now they are complaining that they are too high.

Motion to file the correspondence: Committeeman Boettcher. Second: Committeeman MacLachlan. All yes.

11. COMMENTS FROM THE PUBLIC

- **Leila Gilmore, 101 Devon Lane** – thanked the committee for sending people out to clean up the townhouses at the Glen at Masons Creek. She also asked several questions about the COAH properties. Mr. Tuliano and Mr. Costa answered her questions. She mentioned she is sure the board of trustees, of which she is a member, would welcome a meeting with members of the committee when they are all available. Mrs. Gilmore asked if the yield sign on Edinburgh at the Glen could be changed to a stop sign in anticipation of more traffic and Mr. Tuliano told her the two roads intersect with a state highway and the township cannot just change the sign without approval. He said the township would have to get permission from the State Department of Transportation. He said it may be up to the developer to try to make that change. Mrs. Gilmore also suggested a four-way stop sign at the intersection of Edinburgh and Devon Lanes. Mr. Tuliano said if the township received a formal letter from the association they may be more apt to look into it. Mr. Costa asked Mrs. Gilmore for specific phone numbers to contact her and she said she would give him her card again.
- **Irene Baggio, 177 Merion Court** - said if the township is considering allowing homeowners to use their own realtors to market their COAH properties it might be a good idea for the township to provide a form informing the realtor that it is a COAH property and there is a maximum amount the property can be sold for. Mr. Tuliano said that was a good idea. There was more discussion regarding the sale of these properties.
- **Peter Ruble, 2525 Creek Road** – asked questions regarding the status about the three-way stop sign at Creek Road and Masons Woods Lane, employee medical benefits, committee member medical benefits and whether or not Mr. Fitzpatrick is still working on “no benefits for committee members”. He again reminded the committee about Data Universe and that it is updated to cover the year 2010. Mr. Ruble asked if what Mr. Fitzpatrick said at a previous meeting was authorized. He also said the hearing unit he is using is still cutting out. Mr. Ruble stated he thinks he has reached the pinnacle of his education on politics and he doesn’t think it is worth him coming here worrying about five minutes to come in and talk; no one has the answers, there are never any answers, it’s always “read it in the newspaper”, ask it at the next meeting; as far as he’s concerned he’s got his education and doesn’t think he needs to attend anymore meetings.

- **Catherine McNelis, 407 Bischoff Avenue** – said she didn't appreciate Mr. Fitzpatrick's comment either. Mrs. McNelis asked questions about the tax rate of Hainesport Township and Mr. Porto explained to her about how tax rates affect the townships. He told her the predominant amount of tax increase in Hainesport was the regional and local school taxes this year. Mrs. McNelis was quoting the total tax rate for the township; only a small portion of that amount is part of our municipal budget. Approximately 13% of your tax bill actually goes to the municipal property taxes. Mr. Porto told her that when she mentioned Lumberton Township's rate being so much lower than Hainesport's, she didn't take into consideration that Hainesport has not had a re-assessment since 1989 and Lumberton just had one in 2007; their values are 99.98% of market value and ours is only about 50.87% of market value. Mrs. McNelis said that Lumberton's local purpose tax is lower than ours and again, Mr. Porto explained to her that all of their components are lower because Lumberton is assessed at full market value and Hainesport is not. After giving her an example of homes assessed in both towns he told her she could not compare the towns' tax rates without taking into consideration the level of assessments. Mrs. McNelis continued to ask about various towns and Mr. Porto continued to explain the differences. Mrs. McNelis asked questions about the auditors, about the loss of money because of their poor work, whether or not they will be bringing in the engineer; she went on to read some of the minutes from a previous meeting. She said the automatic door has been broken for at least three years and continued to talk about the design of the building and her idea of the various short falls. Mrs. McNelis told the committee members that they can say whatever they want because they will not be able to give her a hard time anymore; she has had it, she is tired of being insulted, of going home with her stomach in knots. She said whenever "they" try to tell the committee something it is made to look so trivial, like "they" are a bunch of idiots. She said to enjoy their meetings from now on.
- **Letitia Kelley, 525 Lumberton Road** – congratulated Mayor Dickinson and Deputy Mayor Porto for their re-elections. She said she had recently seen an old calendar that said "welcome to the neighborhood" and she mentioned that she thinks all the neighborhoods should be included in the calendar. Mr. Tuliano explained that when that was first done it was during the time that new developments were being built and the developers put the signs up showing the various names of each area. Mrs. Kelley suggested that the older sections should be given signs. She went on to say she doesn't think the township should do away with the COAH units at the Glen at Masons Creek. She also said how nice the fields are at the municipal complex; it's really great to walk the paths because they now connect to Long Bridge Park. She asked when the bridges will be built along the paths. Mr. Tuliano explained the bridges are going to be built during Phase IV as soon as the DEP gives the township permission to move forward; hopefully early spring. Mrs. Kelley asked in which phase the butterfly garden will be done and Mr. Tuliano answered when the township receives the O.K. from the DEP the planner will meet with the Environmental Commission so a decision can be made as to where the best place is to have it built. Mrs. Kelley asked if the

commission should work on the placement of the garden and Mr. Tuliano agreed. She then asked Mayor Dickinson for clarification of what is needed for the website for the Environmental Commission. He said he wanted a summary of what the commission does and to please send it to Mr. Tuliano.

12. COMMENTS FROM THE ADMINISTRATOR

Mr. Tuliano said the lights along the walking trail in the park have been installed. He said that Mr. Porto had said to him, before the meeting that he is very happy the committee agreed to select the upgraded lights, because they really look nice. We need to apply for another grant and hopefully if it is successful; we will install more lights to fill in the gaps. That would be Phase IV. Mr. Tuliano suggested that if people haven't seen the lights they should check them out. The contractor has a few more things to do but should be done within the next couple of weeks.

13. COMMENTS FROM THE SOLICITOR

Mr. Costa wanted to correct the record; there was mention of a \$300,000.00 fraud issue that happened almost ten years ago, before most of the committee members here were even on the committee. It was an "off budget fraud", it didn't take any money from tax payers funds or our budget and all that money was recovered by insurance money. The perpetrators went to jail; as he recalls, they received jail terms of seven years and did serve some of that time.

14. COMMENTS FROM THE COMMITTEE

- **Committeeman Fitzpatrick** – congratulated Mayor Dickinson and Deputy Mayor Porto for their re-elections. He said it was a well run campaign and they put a lot of heart and soul into it and their hard work paid off. He said he is privileged to serve with them again.
- **Deputy Mayor Porto** – said he is pleased with progress that has been made with our park; it is beautiful and the county is very happy with the improvements made with their grant money. He has heard from a couple officials from the freeholders' office and they say it is a model to other towns and counties may want to take a look at the walking paths. He also said he thinks there is a general support for making this a very nice park system; by utilizing open space money that the county gives out as grants to improve parks we are doing the residents and all the people of the county a great service.
- **Committeeman MacLachlan** – congratulated Mayor Dickinson and Deputy Mayor Porto on their resounding victory. He went on to say there had been an issue with buses sitting at the school for a long period of time with the engines

idling. Mr. Tuliano said that there is a DEP statute regarding that and he will notify the school superintendent that it is a violation of DEP regulations.

- **Committeeman Boettcher** – congratulated Mayor Dickinson and Deputy Mayor Porto on their victories. He mentioned that the post office had an event in the township building for business people on how to use the post office to enhance their business and he happened to be in here at the time. What struck him was how many people that came in and commented how amazed they were with the complex. Many of them were not from the township and said they wished they had what we have where they live. He just wanted to comment how much we have to be proud of in this township.
- **Mayor Dickinson** – said one of the nice things about running for office is that you actually get to go out and talk to a lot of people; you get to hear some of the people and their feelings. We are lucky to have a nice town; we have a great mix of people. He was able to go to the Glen at Masons Creek and he thanked them for the invitation. Mayor Dickinson said if the seniors would like him to come over any time he would enjoy talking to them. He thanked the people of Hainesport for giving him and Mr. Porto another opportunity for three years. Mayor Dickinson said he is open to all of Hainesport and will listen to everyone and will do what he can which will be the best for all of Hainesport.

15. **BILL LIST**

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

16. **EXECUTIVE SESSION**

Resolution 2011-117-11 -- Resolution to Enter into Executive Session, if necessary.

It was not necessary to have an Executive Session.

17. **ADJOURNMENT @ 9:25 P.M.**

**HAINESPORT TOWNSHIP COMMITTEE
MINUTES
DECEMBER 13, 2011
7:30 P.M.**

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of December 13, 2011 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 November 9, 2011**
Motion: Committeeman MacLachlan. Second: Committeeman Boettcher. All yes.
5. **REPORTS**
 - A. Tax Collector, November, 2011
Motion to accept the reports and spread the Tax Collector's report across the minutes
Motion: Committeeman Boettcher. Second: Committeeman Porto. All yes.
 - B. Code Enforcement, November, 2011
 - C. Fire Official, November, 2011
 - D. Construction, November, 2011
Motion: Committeeman Boettcher. Second: Committeeman Fitzpatrick. All yes.
6. **DISCUSSIONS/PRESENTATIONS**
 - A. **RecycleBank**

There was a discussion about whether or not the township should continue with the Recycle Bank program. Mr. Tuliano said that when the program was first introduced to the township there were many things that the company said they would do and never have; they said they were going to get more participation from the area businesses and that never happened. They made a lot of phone calls to businesses, but it doesn't appear there was any follow-up to actually enroll the business in the rewards program. The total annual fee the township pays for the program is about \$14,000; however, there is only about 10% resident participation in rewards program. Mr. Tuliano said although there is minimal participation in the Recyclebank program, a recent article in the newspaper rated Hainesport in the top 5 in the County for recycling. After discussion the committee voted to end participation in the program.

Motion: Committeeman Porto. Second: Committeeman Boettcher. Committeeman MacLachlan abstained. All others: yes.

7. RESOLUTIONS

- A. **Resolution 2011-119-12** – A Resolution Awarding a Contract for animal Control Services to M&R Wildlife Removal, Inc.

Mr. Tuliano said this is our second year with M & R and they have been doing a good job.

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

- B. **Resolution 2011-120-12** – A Resolution Authorizing Payment for Additional Services Rendered by the Joint Land Use Board Solicitor – **Robert Kingsbury**

This resolution resulted because the Joint Land Use Board denied an application before it for the Salt & Light Company. Mr. Kingsbury had to do some additional work for the matter.

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

- C. **Resolution 2011-121-12** – Resolution Canceling Balances of Certain Contracts

Mr. Tuliano said this is an annual resolution transferring balances from one line item to another.

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

D. **Resolution 2011-122-12** – Resolution Renewing the Interlocal Services Agreement with Westampton Township for Construction Office Services

Gene Blair, Construction Official of Westampton and Hainesport Township, came in tonight to see if there are any questions from the committee about the renewal of the shared services contract. He also thanked them for their past support and told how pleased he and his “team” are to work here. Mr. Blair went on to compliment everyone that works in the township and commented on how smoothly things run. Mr. MacLachlan mentioned that Mr. Blair is also on the Construction Board of Appeals for the county and he feels his expertise is definitely a bonus to the township.

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

8. **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

9. **COMMENTS FROM THE ADMINISTRATOR**

A. **House Demo**

Mr. Tuliano said the township bought the property at 1405 Marne Highway a few months ago with the intention of demolishing the structure. The township is working with Ragan Design to find a contractor to demolish the house. There are two companies that have submitted quotes for the job; Active Environmental Technologies submitted a quote for \$11,500 and Mancuso Contractors submitted one for \$8,200. In order to move forward with this the committee would have to adopt a resolution recognizing the two quotes and awarding the contract to the low bidder. There was a short discussion and it was decided to add the resolution tonight.

Motion to add Resolution 2011-124-12 to the agenda: Committeeman MacLachlan. Second: Committeeman Fitzpatrick. All yes.

Resolution-2001-124-12- A Resolution to Enter Into Contract with Mancuso Contractors, Inc. for a Demolition of Township Owned Property at 1405 Marne Highway

Prior to signing the contract the contractor must provide all necessary documents to include the NJ Business Registration Certificate

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

10. **COMMENTS FROM THE SOLICITOR**

- **Mr. Costa** wished everyone a Merry Christmas, Happy Hanukkah and a Happy New Year.

11. COMMENTS FROM THE COMMITTEE

- **Mr. Fitzpatrick** wished everybody a healthy and happy holiday season and Merry Christmas to all.
- **Mr. Porto** wished everyone a Merry Christmas, Happy Hanukkah and a Happy New Year. He also said that it has been a privilege to serve with Mayor Dickinson and fellow committee members; he thinks they have accomplished a lot of good work this year.
- **Mr. MacLachlan** congratulated Mayor Dickinson on his year as mayor.
- **Mr. Boettcher** wished everyone Happy Holidays and mentioned to Mr. Porto how good his cookies were for the Christmas party; they went way too fast.
- **Mayor Dickinson** said the Christmas tree lighting had probably the biggest crowd ever; it was managed perfectly by Paula Tiver and Donna Casey. The Hainesport Selected Soloists and Instrumental Band performed and the Girl Scouts helped run the different crafts; everyone had a great time. He mentioned that the Boy Scouts were in for a tour of the building last week and thanked them for coming. Mayor Dickinson wished everyone a Happy Holiday.

12. BILL LIST

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

13. EXECUTIVE SESSION

- A. **Resolution 2011-123-12** -- Resolution to Enter into Executive Session, if necessary.

Mr. Tuliano said he doesn't believe there will be any formal action taken after Executive Session; he does anticipate a lengthy session.

- Contract Negotiations with Mount Holly for consideration of assuming their public works function.

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

14. **ADJOURNMENT @ 9:20 PM**