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HAINESPORT TOWNSHIP COMMITTEE MINUTES

November 9, 2021

7:00 P.M.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of November 9, 2021 with instructions for internet access was included in a meeting notice sent to the Burlington County Times and Courier Post On January 6, 2021 and advertised in said newspapers on January 8, 2021, and January 9, 2021 respectively posted on the website and the bulletin board in the municipal building on January 9, 2021 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. It is posted on the bulletin board on the Friday before the meeting and is on file in the Office of the Municipal Clerk.

1. FLAG SALUTE

2. **ROLL CALL** - present were Mayor Gilmore, Committeeman MacLachlan, Committeeman Levinson, Committeeman Clauss and Committeeman Montgomery. Also present were Township Clerk/Administrator Paula Kosko and Attorney John Gillespie.

3. MINUTES

A. APPROVAL OF EXECUTIVE SESSION MINUTES OF SEPTEMBER 22, 2021

Motion: Committeeman Montgomery. Second: Committeeman Clauss. All yes.

B. APPROVAL OF REGULAR COMMITTEE MINUTES OF OCTOBER 12, 2021

C. APPROVAL OF EXECUTIVE SESSION MINUTES OF OCTOBER 12, 2021

Motion: Committeeman Clauss. Second: Committeeman Levinson. All yes.

4. REPORTS

A. **Tax Collector** – October 2021

B. **Code Enforcement** – October 2021

C. **Fire Official** – October 2021

D. **Construction** – October 2021

E. **Emergency Services Reports** – October 2021

Motion: Committeeman Levinson. Second: Committeeman Montgomery. All yes.

5. DISCUSSION/PRESENTATION

A. Hainesport School – 8th Grade Class Dinner Dance Donation Request

Olivia Farrell, Class President, asked the Committee for a \$1000 donation for the 8th Grade Dinner Dance. She explained that some of their fundraising events they normally do to raise money had to be cancelled because of COVID. The Committee voted to award the \$1000 donation.

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

B. 2021 Best Practices Inventory (Inventory results and the certification by the Chief Administrative and Chief Financial Officers, respectively, must be stated in the minutes of said public meeting).

Administrator Kosko said every year we have questions to answer for DCA. Our answers are influential to the State Aid we receive. Some of the core competency categories of questions for the municipality to answer include: personnel, budget, cyber security, transparency, shared services and COVID-19 response. 27 questions are scored, and 41 are unscored. Our score was high enough to receive 100% of Hainesport's state aid allocation again this year.

Mayor Gilmore invited SSgt. Antenucci to give his report.

SSgt. Antenucci, NJSP – said there were no major problems. He reminded everyone to lock their cars and secure the valuables. If anyone sees suspicious people or cars, please call the State Police. They are also still responding to catalytic converter thefts from businesses mainly on Route 38.

Trooper Morris, the School Resource Officer to Hainesport School has been working with the crossing guard to insure safe passage for the students. He also assists with the State Police community policing initiative.

The State Police will continue to be present at Hainesport events. He thanked the Township for the First Responders dinner and will attend the Veteran's Lunch Thursday as well as the Christmas Tree Lighting Ceremony. If you have a concern, please contact Paula Kosko or call our non-emergency number 609-298-1171. For emergencies, call 911.

6. COMMENTS FROM THE PUBLIC – Agenda items only (Comments are limited to 5 minutes)

No Comments.

7. ORDINANCES

A. **ORDINANCE 2021-12** – Adopting a Revision and Codification of the Ordinances (**First Reading and Introduction**) (**Public Hearing and Final Adoption December 14, 2021**)

Motion: Committeeman Clauss. Second: Committeeman Levinson. All yes.

- B. **ORDINANCE 2021-13** – Amending Chapter 104 of the Code, Entitled “Land Use”, to Create a New Zoning District to Be Known As the AH-1 Affordable Housing” Zoning District to Rezone Lot 1.06 in Block 104 in Accordance with the AH-1: Affordable Housing Zone **(First Reading and Introduction) (Public Hearing and Final Adoption December 14, 2021)**

Mr. MacLachlan asked Mr. Gillespie if the next step for this Ordinance is to go before the Planning Board. **Mr. Gillespie** answered yes and that they will determine if the zoning is consistent with the Master Plan. **Mr. MacLachlan** and **Mr. Montgomery** added that they have concerns about the entrance to the area that need to be addressed during the Site Plan process.

Motion: Committeeman Clauss. Second: Committeeman Levinson. All yes.

- C. **ORDINANCE 2021-14** – Authorizing and Encouraging Electric Vehicle Supply/Service Equipment (EVSE) & Make Ready Parking Spaces **(First Reading and Introduction) (Public Hearing and Final Adoption December 14, 2021)**

Motion: Committeeman Clauss. Second: Committeeman Levinson. All yes.

8. **CONSENT AGENDA RESOLUTIONS**

The items listed below are considered routine by the Township of Hainesport and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- A. **RESOLUTION 2021-131-11** – Authorizing Participation Hainesport Township to Enter into a Cooperative Pricing Agreement
- B. **RESOLUTION 2021-132-11** – Authorizing Lien for Property Maintenance Expenses for Property Located at 6 Applewood Court
- C. **RESOLUTION 2021-133-11** – Authorizing Partial Payment to the Hainesport Volunteer Fire Company
- D. **RESOLUTION 2021-134-11** – Approving Employee Handbook
- E. **RESOLUTION 2021-135-11** – Approving Grant Application to NJDEP for Resiliency Action Plan Services Funding as Recently Required for Municipal Master Plans

Motion: Committeeman Levinson. Second: Committeeman Montgomery. All yes.

9. **RESOLUTIONS**

- A. **RESOLUTION 2021-136-11** – Authorizing Purchase of Playground and Park Equipment for Municipal Playground and Park

Motion: Committeeman Montgomery. Second: Committeeman Clauss. All yes.

- B. **RESOLUTION 2021-137-11** – Authorizing Purchase of Poured in Place Safety Surface Material for Municipal Playground and Park

Motion: Committeeman Levinson. Second: Committeeman Montgomery. All yes.

- C. **RESOLUTION 2021-138-11** – Amending the Adopted Budget for Additional Items of Revenue and Offsetting Appropriation (Chapter 159)

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

10. BUSINESS

- A. **Approval of Business Licenses** (See Attached)

Motion: Committeeman Levinson. Second: Committeeman Clauss. All yes.

11. COMMENTS FROM THE PUBLIC (Comments are limited to 5 minutes)

Anna Evans, 63 Parry Drive – congratulated Gerry Clauss on winning the election and thanked him for a civil race. She has extreme reservations concerning the Ordinance for rezoning the area for Affordable Housing. The extra traffic near the railroad bridge would be dangerous. She does not feel a 3-story apartment building with 72 units is in the spirit of what affordable housing is supposed to be. It should be integrated within neighborhoods, like Tartan Lane in the Glen.

Catherine McNelis, 407 Bischoff Ave. – asked questions about the Veteran's donation box in the foyer. She wants to know why it cannot be there. It was started for military members in Afghanistan and now the donations go to Veterans. **Ms. Kosko** responded that the box was out on Election Day. We have not had anyone ask about it, but we would gladly take the donations and put them in the box that is located in a room at the building. Ms. McNelis also asked about silverware at the Street Community Center being thrown out. **Mayor Gilmore** answered that the silverware was beyond cleaning. Paper and plastic products are available for the seniors to use.

Mark Murdy, 2614 Creek Road – asked about the address for Ordinance 2021-13 since it only lists Block and Lot. The egress/ingress is an issue on Creek Road. A few school buses have hit the top of the bridge trellis. He also asked if the public would be voting on the Ordinance. **Mayor Gilmore** responded the public is allowed to speak at the Public Hearing in December, but the Committee votes on the Ordinance. Mr. Murdy recalled when he was young and looking for a house that he had to find something he could afford by himself. He asked what percentage of the development would be affordable housing. **Mr. Gillespie** answered 100%. Mr. Murdy also said the traffic is already bad on Creek Road, especially from 295 around rush hours. He asked about Ordinance 2021-14 for the electric car equipment. He wanted to know who would be paying to provide the installation of the charging stations. **Ms. Kosko** explained that this is a State mandate to install the charging stations in new parking lots that the developers will pay for.

Mike Dutcher, 106 Masons Woods Lane – said he is opposed to Ordinance 2021-13. He asked if the Township gave the builder \$275,000 to purchase this property and the

developer only had to pay \$75,000 for the property. **Mr. MacLachlan** explained that the State dictates the mandate for Affordable Housing. Years ago, he along with Mick Dickinson zoned and built the first two rounds of required Affordable Housing. It has turned into a business where the properties need to be managed and the developers compete for tax credits given by the state. They are for-profit companies. This developer has other properties that look very nice. **Mr. Gillespie** answered that the purchase price for the property was \$375,000. The developer paid \$100,000 and the Township provided \$275,000 and holds a mortgage/loan on the property. If the project does not get built, we get the money back. The \$275,000 did not come out of taxpayer money. It came from the Affordable Housing Fund, which is exactly what its purpose is. If the developer does not get the tax credits from the State, they will not do the project. This was all done in public. The Township adopted Resolutions authorizing the advancement of the monies, the mortgage and mortgage note and amendment of our Spending Plan to facilitate this contribution. Mr. Dutcher asked Mr. Gillespie if his firm represented the developer. Mr. Gillespie answered no. Mr. Dutcher said he is concerned about the traffic. With 70 units, it could be an additional 140 cars going through that bridge every day. How will these people get public transportation? This all needs to be taken into consideration. He asked if some of this is low income housing. Mr. Gillespie responded that a percentage will be moderate and a percentage will be low. The requirement to live in these developments in 2019 was an income of \$80,000 for a family of four. Mr. Dutcher asked why the development was not being considered for the HITCO property which would have easier access to public transportation. **Mayor Gilmore** responded that the area is not cleaned up yet. **Ms. Kosko** added one of the requirements for the low income housing tax program is that it be in proximity to public transportation. The mandated traffic study will disclose concerns about the public transportation/bridge situation. The developer has been in this business for a long time and most likely takes these challenges into consideration. Mr. Dutcher said he does not want buses coming down Creek Road. **Mr. MacLachlan** said he highly doubted that would happen. **Ms. Kosko** added that she would have a conversation with the school to see how they get the kids on the buses in Masons Woods now with the bridge trellis. Mr. Dutcher said it is not the right place for an Affordable Housing development and he will come out to the Planning Board meeting in December.

Kate Bryner, 2202 Fostertown Road – asked if the Committee had considered how this development would impact the school. If the new development would bring in two kids per unit, that would be 140 kids. She asked how we would handle all these kids and if a new school would be built. **Mr. MacLachlan** said he has talked to the Superintendent and he wants 140-150 more kids for the school.

Eileen Dixey, 120 Masons Woods Lane – said she has lived in her neighborhood for 21 years. Her kids walked to Wawa, but if we add 140 kids we would need a sidewalk for safety. She asked what the threshold of population is for us to have our own Police Department instead of State Police. **Ms. Kosko** responded that she is not aware of a threshold. Ms. Kosko also stated that there is an assumption being stated that there will be two children per unit. There is a formula from a Rutgers study, that is widely used, that estimates approximately .78 kids per affordable housing unit.

Tracy Dougherty, 2723 Creek Road – said there are many issues between the traffic, water and schools. Also, the modern design of the buildings does not fit with the look of their traditional houses. She asked if the development would be fenced. **Mayor Gilmore** responded there would be trees planted to buffer noise and add privacy. Ms.

Dougherty said she is concerned with people mistakenly turning in to her driveway. She is also concerned with speeding. She clarified that the meeting on December 14th is when the Committee will vote. **Mr. Montgomery** reminded everyone that this vote is only addressing the zoning of the area, not a site plan.

Charles Emery, 110 Masons Woods Lane – said he is concerned about the egress and ingress for traffic and pedestrians. It is not safe without a crosswalk and a traffic light by the bridge. There are no sidewalks or parks for the kids to play. The area has frequent power outages and he is concerned the Comcast speed will go down. He is also concerned about the water, sewer and privacy. He cannot build a fence for his backyard because of an easement and he has a pool there. He would like privacy from the 3-story apartment building.

Pat Pierce, 2706 Creek Road – asked if we would need to buy a new ladder fire engine to service the buildings, how we would modify our firehouse to fit the new truck and what the cost would be. Will that be on our taxes? **Ms. Kosko** responded that towns have mutual aid with each other for fire service and there are several surrounding towns that have a ladder trucks if needed. Ms. Pierce asked if this project was a done deal. **The Committee** responded no.

Steve Parra, 119 Masons Woods Lane – asked how many stories the buildings would be. **Mayor Gilmore** answered three stories. He asked what the justification is to change the zoning from single family homes to apartments. Mayor Gilmore responded that it was a request to be reviewed by the Joint Land Use Board. **Mr. Gillespie** added that the Joint Land Use Board would have Preliminary and Final Site Plan approval next year if it gets rezoned. Mr. Parra asked about having the affordable housing plan listed on the Master Plan. Mr. Gillespie said it was still being discussed and he would address that at the Public Hearing. Mr. Parra also has concerns about the traffic on Creek Road. Mayor Gilmore said Marne is a County road. The County may square off the intersection with Creek Road. She does not know when, but it was in their Transportation Master Plan. Mr. Parr asked about the cost of putting in sewer and the Committee answered that the cost would be on the builder.

Bob O'Donnell, 103 Weatherhill Court – said he was concerned about the traffic. He bought his house in a single family home neighborhood and he wants it to remain that way. Three stories is too big for these buildings. Could they do two stories instead? He is a retired Fire Chief from Mt. Laurel and said the town may need to buy a new fire truck and they are expensive. He asked if the Bosniaks clubhouse would be demolished. He asked why we did not eminent domain their property and then make shorter buildings including that land. **Mayor Gilmore** responded no, they are not selling their property and we are not taking over the Bosniaks property. Mr. O'Donnell said he is against all of it.

Chris Hurff, 111 Masons Woods Lane (online) asked what makes this a good idea. **Mayor Gilmore** said she would address this in her comments.

12. COMMENTS FROM THE ADMINISTRATOR

Ms. Kosko reported the 2022 Municipal Aid DOT Grant for \$498,000 to resurface Pulaski Avenue, Laurel Ridge Road and Fenimore Road was approved for \$185,000

of funding. Our LSRP for CreekTurn Park completed a Grant application to DEP for HDSRF Funding. It could be a year before we hear back. We did not get the 2021 Green Acres Grant we had hoped to use for the Municipal Park to fix the flooding issues with the footbridge area and updating the restrooms. Grant awards were primarily given to overburdened communities. She will resubmit an application next round. She has been in conversation with the Fire Department for two years with regards to purchasing new fire apparatus. She is meeting Monday night with the Committee liaisons to the Fire Company, Chief Bozarth and President Challenger.

13. COMMENTS FROM THE SOLICITOR

Mr. Gillespie explained that the Ordinance for rezoning will go before the Planning Board for approval. This is not the Site Plan. It is to see if the rezoning is consistent with the Township's Master Plan. It will not cover basins or parking, only the location and the use. The Ordinance does include that indoor and outdoor amenities must be provided, such as recreation. The Site Plan will have the details about the look and the function of the development, which would not be until 2022.

14. COMMENTS FROM THE COMMITTEE

Committeeman Levinson said he enjoyed the Habitat for Humanity dedication earlier today for the Canatella family. They did a wonderful job renovating the house for a nice family.

Committeeman MacLachlan thanked everyone for coming and bringing attention to the issues on Ordinance 2021-13. He complimented the residents on their superb demeanor.

Committeeman Clauss discussed the developer for Creek Road. As a Committee, we have to give them an opportunity to present their plan. We have to see if the developer can overcome the hurdles. He also enjoyed the Habitat for Humanity dedication. He reminded everyone about Ron Copsetta's toy drive on Marne Highway this Saturday at 11 am. He will be there with Mayor Gilmore to help accept the toys.

Committeeman Montgomery thanked everyone for coming and being so professional. He congratulated Gerry Clauss on his re-election. He reported on the latest Cannabis meeting. They are considering allowing two retail licenses for Route 38. We will have to decide on setbacks with residential areas and schools as well as hours of operation and trash. He welcomes more input from the community.

Mayor Gilmore thanked everyone for coming and congratulated Gerry Clauss on winning re-election. Commenting on affordable housing, she recalled at the Glen they were once considering a property with 3-story building close by and one block away they have affordable housing. Instead of the three-story building, the Kidney Center was built. At first, we had to deal with lights in the windows, but now the trees have filled in and it is not so bad. Traffic and the turn arounds are a concern and hopefully improvements will be made on Creek Road. She thanked Ms. Kosko for securing the NJDOT \$185,000 Grant and hopes we are successful in winning the Safe Streets to School Grant. She also attended the Habitat for Humanity home dedication. They built a lovely home for a great new family that will be an asset to the community.

She also listed the following upcoming events:

11/11 Veterans Day Lunch – see details on website, free for Veterans

11/19 10am Storytime for Preschoolers with the Chick-Fil-A mascot

12/3 6pm Holiday Parade and Tree Lighting

12/11 12-3pm Gingerbread House Competition at the Street Center & House
Decorating Contest applications on the website

The Senior Citizens Club meets the 2nd and 4th Thursday at the Street Center.

Have a Happy Thanksgiving and Happy Hanukah.

As Mayor Gilmore finished her comments, a resident in the audience asked if there was an Ordinance about what time the train in the Industrial Park was allowed to be operating. She said she heard them at 4am. **Mayor Gilmore** directed her to call the Township during business hours and speak with Ms. Kosko.

15. BILL LIST

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

16. EXECUTIVE SESSION

A. RESOLUTION 2021-139-11 – Entering into Executive Session

1. Attorney Client Privilege
2. Potential Acquisition of Property

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

Motion to Re-Enter Open Session

Motion: Committeeman Clauss. Second: Committeeman Montgomery. All yes.

Motion to Authorize Plan of Action Discussed in Closed Session

Motion: Committeeman Montgomery. Second: Committeeman Clauss. All yes.

17. ADJOURNMENT @ 10:35 P. M.

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

Respectfully Submitted,

Paula L. Kosko

Administrator/Municipal Clerk

OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA

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