

CINNAMINSON TOWNSHIP COMMITTEE

March 20, 2017

Minutes

The Regular Meeting of the Township Committee is being held at 6:30 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ 08077. This meeting is being held in accordance with the "Open Public Meetings Act," P.L. 1975 c.231, having been noticed to the Burlington County Times and Courier Post on January 6, 2017.

In Attendance: Mr. Brauckmann, Mr. Evans, Mr. McCarthy, Mr. Young, Mayor Minniti, Also present: Michael P. King, Administrator, John Gillespie, Solicitor, Julia Edmondson, CFO, Michael Minton, Economic Development Director

Mayor Minniti opens the meeting with the Pledge of Allegiance.

Mayor Minniti states that presentation from and proclamation for Cinnaminson Fire District will be postponed to a later date.

Liaison Reports

Health/Senior Services and Veterans Affairs – Mr. Evans

Good evening everyone. On March 6th I had a meeting with Burlington County Library and the Cinnaminson Library. In order to provide some new opportunities to the Cinnaminson Library. Just a small amount of elbow grease and some effort in the lower level of the library can provide some age and grade related work areas to include an early

Parks and Recreation– Mr. Brauckmann

Good evening everyone. For my parks and recreation report I offer the following. The Parks and Recreation committee meant in the beginning of the month and I advised the group that committee had approved all of the permits that were presented. So all those groups have been properly advised. We also advised these groups of the new requirements of ordinance 2017-2 which is our new comprehensive park ordinance. Our Cinnaminson residential sports organizations were already aware of these changes but the adult individual sports teams were only given an overview at that time. I'm pleased to report now that everyone is aware of the ordinance, its' regulations and requirements and also any associated fees.

Regarding the comprehensive park ordinance, last month during the public hearing in an attempt to talk about the differences between the work of the old subcommittee, myself included, we worked on the previous version of the ordinance 2015-16 and the outreach of the subcommittee. This time around I misspoke and said something about the work product that was presented by our attorneys regarding 2015-16. While reviewing the meeting minutes from last month and doing some self-reflecting I can see that my emphasis of trying to point out the outreach and feedback differences of the old subcommittee compared to the new one was not properly stated by myself and instead was directed towards the hard work of our attorneys, in particular one attorney that worked on the finished work product. This comment was not fair towards that attorney who I do have a lot of respect for. So I'd like to apologize to him for that misspeaking by myself and to the firm that he works for. So Mr. Gillespie if you could relay that to Mr. Morris I would appreciate that.

Regarding our recreational programs, our annual cleanup day is scheduled for this Saturday at all of our township parks. Christine Turner is the point of contact for this wonderful event. She's been this way for years. I'd like to thank her for all the hard work she does in scheduling this. If anyone has any questions they should reach out to her.

I'm currently working on scheduling summer concert. The subcommittee that was directed to review all of the recreation programs and community programs we offer is still being finalized. So I am hopeful that we will have a report to present possibly during the next township committee meeting. As everyone

knows the concrete repair project around the concession stand at Memorial Park, the Memorial Park project and also the new parking lot off of Fork Landing Road for Memorial Park hopefully will begin shortly. We are working around spring sports opening day schedules as well as the weather. These projects will hopefully start soon.

I've also gathered capital budget recommendations from the Parks and Recreation committee with feedback from our sports groups that they've provided to me over the previous several years. We hope to have that ready to present to the budget subcommittee shortly. The other major thing I'm frequently asked is if we have a date for Cinnaminson Day yet. The short answer is no because we always wait for the Eagles season to come out. We always try to schedule around a buy week, a night game or a Monday night game. Once the Eagles schedule comes out we will watch it for Cinnaminson Day so that everyone can plan accordingly. We are aware of some conflicts last year that were expressed to us from the churches and some community groups about moving the time up. All of those things will be considered. We'll get that date out as soon as we can.

Since spring sports season is underway, on behalf of Parks and Rec and the entire community I wish everyone well with their season. Mr. Mayor that concludes my report.

Public Works – Mr. Young

Good evening - From Public Works, we have the following to report;

We have had a relatively fortunate winter. Last week we had only our 2nd significant snowstorm of this winter season. Due to the cold/dry weather in front of the storm, we were able to pre-treat a number of our streets with brine which assisted us with snow plowing. Because of the changeover to a rain/sleet combination at the end, and the continued cold, the remaining snow has been difficult to move. We have made some additional salt applications to address the freeze/thaw cycles since the storm. We wish to especially thank our residents who followed the ordinance and cleared their vehicles off the streets to enable us to plow full width. (Article II of the Twp. Code)

We have been cleaning and inspecting catch basins and storm drain outfalls and have also been able to concentrate on trying to reduce the backlog of tree removals.

We are making our first pass of the season through our town for collection of accumulated brush. This has been interrupted due to the snow storm event. We have begun pick-up again and are holding schedule. This means that we have moved into Week 3 today and upon completion, will drop back into week 2 to finish. This is a brush only trip with leaf collection scheduled for next month.

Remember that leaves will only be collected until the end of April. Leaves and brush must be separated. Please do not commingle brush and leaf materials as that will prevent us from picking your material up when we pass through.

The annual schedules for all recycling, including brush and leaves should be arriving at your house within the next few weeks. Until such time as they arrive, follow last year's schedule and allow for a one-day differential. Speaking to schedules, please pay attention to the County Recycling Schedule when it arrives as well. You will note on weeks with a Monday holiday, the recycling is often one day later than trash pick-up. We are back in business on collection of electronics.

We continue to do pothole repairs, however, due to the mixed weather we've been having, some the plants have opened so we can sometimes get hot asphalt and make permanent repairs. This is -helpful because when we can the right materials, we are not forced to make the same repair twice. Mr. Mayor, this concludes my report.

Administration/Finance and Public Safety – Mr. McCarthy

The finance team is continuing to meet on the budget issues. The police department puts out the radar in different locations throughout town. Between March 8th and 18th the radar was on Arleigh Rd. There were

5,666 vehicles that traveled down the road, the average speed was 24 mph. Eighty-five percent of the recording was at 29 mph. Fifty percent of the traffic was between 22 to 31 mph. Enforcement rating is considered low and is consistent with the 25 mph residential road. That is a good study for Arleigh Rd. as the neighbors have concerns with cut through and speeding. That is all I have to report.

Economic Development – Mr. Minniti

I have something that is positive news on a front that it seems we are always fighting and that is the liquor licenses for the Township in particular but for the State in general. I probably answer this question more than any other about why we don't have more liquor licenses. I've actually gotten to the point of having the legislation posted that was never picked up in Trenton. Today we received a memorandum from our solicitor's office that is updating us on what could be a positive movement in the liquor license availability direction. This is a brief summary of Assembly Bill A2452. It's legislation which would create new and affordable classes of liquor licenses and compensate existing license holders with tax breaks based upon the market value of their existing licenses. As I've explained often, one of the biggest hurdles towards any sort of reform to our liquor license regulations in the State is the fact that these are significant assets to those that hold them and anything that dilutes their value can actually be translated to harm to those license holders. So we always bump into that issue. How do we compensate them and this actually does allow that? The bill right now sits in the Committee. The committee held a discussion on the bill on Feb 27, 2017. This may be a sign that the bill will be scheduled for committee vote in the near future. However, the committee's future schedule has not been published so we don't have anything to report in that regard. This bill was first introduced in the 2014-2015 session but saw no action. The bill creates restricted restaurant licenses. R1 or R2 is the abbreviated references. The differences between the two being that sale of alcohol drinks in addition to beer and wine with the R1 license and the fee for the licenses. The licenses are permitted in restaurants with square footage between 1500 sq. ft. and 6000 sq. ft. The restaurant must have a full service kitchen with a minimum square footage of 500 sq. ft. Besides the limitation on the square footage there are other differences between these licenses and existing retail consumption licenses. First the license is limited to one address. It is now common for a license holder to use its liquor license at multiple restaurants which are adjacent to each other. Each restaurant would need its own restricted license under this legislation. Next the new license does not permit a bar except for a service bar. The alcohol must pass from the back of the house to the customer through wait staff at the customer's table. Finally, the license may not be sold or transferred. The governing body may not restrict the number of licenses to be issued and census data is not considered. Again one of the major impediments for Cinnaminson Township is that at 15,000 residents, being a built out community, we have very limited capacity for growth to allow us to qualify for more State approved liquor license issuance. The R1 wine, beer, spirits license has a cost of \$3000 for restaurants under 3000 sq. ft. and \$10000 annually for 3001 to 6000 sq. ft. The municipality would receive \$2500 of the fee for either application or renewal with the remainder going to the State to offset the tax breaks. The R2 license has a cost of \$1500/\$5000 according to the square footage with \$1250 being paid annually to the municipality. The legislation also allows a municipality with an adopted Master Plan to issue an additional plenary consumption licenses based on peak population projections and not census figures. The remainder of the bill concerns the tax credits to be provided to the existing license holders for the fair market value paid for their license. The credit would be provided in 1/5 increments over five years. The Director's Advisory Committee sets the fair market value. There is no implication to local property taxation. This is significant because we've not seen a bill progress quite to this point at least in the years that we've been trying to work on some sort of legislative reform to the issuance of liquor licenses. I'd like to make a motion to add a resolution of this township committee's support of this bill in the hopes that it can be used to move forward. This would be a boon to our commercial district. Over the years, it really is difficult to process how many great establishments we've had to turn away because of the lack of liquor service. We have a very strong restaurant community in Cinnaminson, mostly BYOB's. I think they would do very well financially if this option were available to them.

New Business

Mayor Minniti makes a proclamation presentation for Traumatic Brain Injury Month to Lilly Nichols.

Introduction of Ordinance 2017-5 An Ordinance to Amend Chapter 2 of the Code of the Township of Cinnaminson entitled, “Vehicles and Traffic” to establish a four-way stop intersection at New Albany Road and Parry Road/Parry Boulevard. Mr. McCarthy comments on the need for the 4-way stop. Motion to introduce is made by Mr. McCarthy, seconded by Mr. Young. Voice vote. All aye, no opposed. Ordinance is introduced with public hearing to be April 17, 2017.

Introduction of Ordinance 2017-7 Amending Chapter 85, Section 5 of the Code of the Township of Cinnaminson concerning the Composition of the Police Department. Director King explains that this is for a change in staffing. Motion to introduce made by Mr. McCarthy, seconded by Mr. Evans. Voice vote. All aye, no opposed. Ordinance is introduced with public hearing to be April 17, 2017.

Introduction of Ordinance 2017-8 An Ordinance to amend Chapter 2 of the Code of the Township of Cinnaminson entitled, “Vehicles and Traffic” Motion to introduce made by Mr. McCarthy, seconded by Mr. Evans. Voice vote. All aye, no opposed. Ordinance is introduced with Public Hearing to be April 17, 2017.

Introduction of Ordinance 2017-9 An Ordinance of the Township of Cinnaminson, County of Burlington, State of New Jersey Adopting Redevelopment Plan for Certain Properties known as Block 1304, Lots 18, 19 & 20 and Block 1305, Lot 1 Mayor Minniti request for Michael Minton to give a synopsis of ordinance. Redevelopment of Route 130/Highland Ave. (GSI, Friendly's, Barone's and Azalea Farm) This will allow the applicant to make presentation to the Planning Board. Motion to introduce made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. Ordinance is introduced with public hearing to be April 17, 2017.

Motion to add Resolution 2017-59 Awarding proposal for cleaning of St. Charles Place catch basins to agenda made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. Resolution is added to agenda. Director King explains that this is for two basins. The hope is that the contractor will go in and make repairs and then public works will maintain them going forward. Motion to approve made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. Resolution is approved.

Mayor Minniti asks for motion to add Resolution 2016-60 in support of Bill A2452 for liquor licenses. Motion is made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. Resolution is added to agenda.

Motion is made by Mr. McCarthy to adopt Resolution 2016-60, seconded by Mr. Young. Voice vote. All aye, no opposed. Resolution is adopted.

Old Business

Public Hearing on Ordinance 2017 – 3 An Ordinance Authorizing Long Term Tax Exemption (1410 Urban Renewal Assoc LLC.) Mr. Young explains that this is for continued support of the Cinnaminson Home project. Mayor Minniti opens it for public comment. Hearing none, Mayor Minniti closes public comment. Motion to adopt made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Ordinance is adopted.

PILOT ORDINANCE LONG TERM TAX ABATEMENT

ORDINANCE NO. 2017-3

AN ORDINANCE AUTHORIZING LONG TERM TAX EXEMPTION AGREEMENT

WHEREAS, 1410 Urban Renewal Associates, LLC (the “Sponsor”) proposes to construct a housing development (the “Project”) within the Township of Cinnaminson (the “Municipality”) on a site described as Block 1004, Lot 45 as shown on the official assessment map of the Township of Cinnaminson, Burlington County and commonly known as 1410 Riverton Road, Cinnaminson, New Jersey; and

WHEREAS, the Project will qualify for a tax abatement under the Long Term Tax Exemption Law; and

WHEREAS, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFORE, be it ordained that the Council of the Township of Cinnaminson that:

1. The Council authorizes the execution of an agreement substantially in the form attached hereto as Exhibit "B" and made a part hereof authorizing an in lieu tax payment of five percent (5%) of the gross shelter rent of the Project; and
2. The Council hereby authorizes and directs the Mayor of the Municipality to execute, on behalf of the Municipality, the agreement attached hereto as Exhibit "B"; and
3. The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the agreement; and
4. The Council understands that the Sponsor will form a limited partnership or a limited liability company in which the Sponsor will be the general partner or managing member, respectively, and that the Municipality may enter into the payment in lieu of taxes agreement with such limited partnership or limited liability company.

The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance to 1410 Urban Renewal Associates, LLC c/o MEND at 99 E. Second Street, Moorestown, New Jersey 08057. The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance, and the Financial Agreement implementing it, to both the Municipal Tax Assessor and the Director of the Division of Local Government Services.

Public Hearing on Ordinance 2017-4 Amending Chapter 2 "Vehicles and Traffic" and establishing "No Left Turn" for exit driveway onto Church Road from Wawa at Block 2015, Lots 1.01 and p/o 1.02 and Block 2101, Lots 1 and 2 within the Township. Committee clarifies where this no left turn will be and that it is at the County's request. Mayor Minniti opens for public comment. Melissa Van Reuter, 212 Jan Drive asks for further clarification. Hearing no further comment Mayor Minniti closes the public comment section. Motion to adopt made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Ordinance is adopted.

**TOWNSHIP OF CINNAMINSON
COUNTY OF BURLINGTON
ORDINANCE NO. 2017-4**

AN ORDINANCE AMENDING CHAPTER 2, "VEHICLES AND TRAFFIC" ARTICLE III, "MISCELLANEOUS TRAFFIC REGULATIONS," OF THE GENERAL REVISED ORDINANCES OF THE TOWNSHIP OF CINNAMINSON AND ESTABLISHING A "NO LEFT TURN" RESTRICTION FOR THE EXIT DRIVEWAY ONTO CHURCH ROAD (COUNTY ROAD 607) FROM THE WAWA AT BLOCK 2015, LOTS 1.01 AND P/O 1.02, AND BLOCK 2101, LOTS 1 AND 2, WITHIN THE TOWNSHIP

WHEREAS, the Committee of the Township of Cinnaminson has determined, in accord with the Burlington County Planning Board ("BCPB") that the safety of motoring public requires the establishment of a certain "No Left Turn" restriction at the Wawa convenience store and fueling

station (“Wawa”) located at Block 2015, Lots 1.01 and p/o 1.02, and Block 2101, Lots 1 and 2 within the Township; and

WHEREAS, the Township has received a copy of certain correspondence dated January 17, 2017 from BCPB to the attorney for Wawa, stating that, as a condition of its approval of the Wawa development, the Township must adopt an ordinance adopting the aforementioned “No Left Turn” restrictions so that traffic exiting the site is prohibited from making a left turn onto Church Road (County Road 607); and

WHEREAS, the Township has further received a written request from the attorney for Wawa requesting that the “No Left Turn” restriction be formally adopted by way of ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED, by the Township Committee of the Township of Cinnaminson, County of Burlington, State of New Jersey, that Chapter 2, “Vehicles and Traffic,” Article II, “Miscellaneous Traffic Regulations,” of the General Revised Ordinances of the Township of Cinnaminson is amended by adding the following section:

2.220.060 No Left Turns.

No person shall make a left turn at any of the following locations:

Name of Street	Location
Church Road (County Road 607)	Exiting the driveway on Block 2015, Lots 1.01 and p/o 1.02, and Block 2101, Lots 1 and 2 (Wawa)”

BE IT FURTHER ORDAINED AND ESTABLISHED that this Ordinance shall become effective upon adoption and publication in accordance with law.

Mr. Gillespie reports to committee on status of Facebook page. The CFO is acting administrator of Facebook page. Committee needs to appoint an administrator for the Facebook page. To be tabled for April work session meeting

Public Comments on Consent Agenda items only – None

Consent Agenda

Approval of Resolution 2017-57 authorizing the Use of GovDeals Online Auction for the sale of 107 Used Folding Chairs

Approval of Resolution 2017-58 Emergency Temporary Appropriations NJSA 40A:4-20 Extending the Temporary Budget period through May 15, 2017

Approval of Raffle for Family Co-op Nursery School (4/28/17)

Approval of Raffle for Burlington County Footlighters 4/22/17

Approval of Raffle – CHS Home and School Association (5/22/17)

End of consent agenda

Motion to approve consent agenda made by Mr. McCarthy, seconded by Mr. Evans. Voice vote. All aye, no opposed. Consent agenda is approved.

Minutes Motion to approve minutes of February 27, 2017 made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. Minutes are approved. Motion to approve minutes for February 27, 2017 closed made by Mr. Evans, seconded by Mr. Young. Voice vote. All aye. Mr. Brauckmann abstains.

Bill List – Motion to add PO # 17-00211 to PSE&G for \$34,344.93 made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. PO is added to bill list.

Motion to approve bill list is made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. Bill list is approved.

Comments from the public

Marie Birback, 2513 Chestnut Hill Drive - Questions re: public works positions. How many applicants have applied? Director King states they've received 8 applications. Mr. Young gives history of his involvement with the position of superintendent of public works. Asks about composition of the police department and when will the police chief be put into place? Asks what will happen to the vehicle when there is no longer public safety director. It will be used, sold or reissued. Asks about Director King using officers to drive him to work after he was injured. Director King confirms that he was supposed to be out for six weeks but was out two days with assistance with transportation which committee approved. Ask about GPS on township vehicles. Mayor Minniti confirms that he wanted it but it became a bargaining issue which became untenable. Asks why cleaning crew was dismissed. Director King responds due to theft of services. Park lights - who pays for them. Mr. Young states it's a monthly fee. They are supposed to be on from dusk to dawn. Asks when handicapped curbs will be complete. Mr. Young states annual basis as we do paving. Chestnut Hill is not currently on the schedule.

William Conley, 19 Glenview Drive – Asks Mr. Young about the public works position and what the pension benefits would be for him if he was hired as public works superintendent. Comments about discussions with committee members regarding this when he was a potential candidate for committee. Mr. McCarthy replies that many topics were discussed, including this, so that he would be aware of it. Mr. Conley confirms that was not the only reason he was contacted. He feels that although Mr. Young is highly qualified it is about the appearance of impropriety. Also asks about the public safety director position and when the township will go back to a police chief position.

Ken Miller, 2418 Yellowstone Rd. – Asks about police restructuring. Mr. King does a great job but it's been six years. This should not take more than six years to have a police chief. Mr. Young does a great job but should not be politicking for the public works superintendent position.

Kelly Huber 240??Brandeis Ave - Asks about Director King's hire in 2011 and how he came to be administrator, what his salary has been and when he started having use of a township vehicle. Was initially an interim position. Questions CFO Edmondson about how she came to have position. Ms. Edmondson responds and that Mrs. Fitzpatrick approached her. Director King responds that he was also approached by Mrs. Fitzpatrick who was the liaison for administration at the time. Mr. Young responds. Why is it now wrong for Don to approach an employee? Mayor Minniti responds that specific committee policies were laid out to remove the appearance of undue influence of elected officials on our professional staff that we were not to interact with employees.

Hearing no further comment Mayor Minniti closes the public comment section.

Comments from Committee

Mr. Brauckmann expresses his appreciation for the outpouring of support for him over the last several weeks.

Mr. Evans comments on social media. Encourages residents to come out and participate. States committee can work together or fail together. Cautions that committee is collectively responsible for their actions.

Mayor Minniti comments that committee is successful because of the differences of the five members. Since early 2000 has been a golden age for Cinnaminson. We make the best decisions that we can although they are not always popular. Every decision is for the best of this community.

Motion to go into closed session made by Mr. McCarthy, seconded by Mr. Young. Voice vote. All aye.
8:13 pm

Motion to adjourn made by Mr. Evans, seconded by Mr. Brauckmann. All aye, no opposed. Meeting is adjourned.
8:34 pm

Duly passed and adopted

Respectfully submitted

Lisa A. Passione