

WESTAMPTON TOWNSHIP COMMITTEE MEETING  
7:00 PM Closed Session 8:00 PM Regular Meeting

APRIL 28, 2009

The meeting was called to order at 8:00 PM by Mayor Sidney Camp. Requirements of the Sunshine Law were read. This meeting was advertised in the Burlington County Times January 6, 2009. The flag was saluted and there was a moment of silence.

Roll Call:

Committeeman Adams	Present
Committeeman Daniels	Present
Committeeman Maybury	Present
Committeeman Robbins	Present
Mayor Camp	Present

Richard Rybak, Solicitor, was present.

Donna Ryan, Clerk/Administrator, and Marion Karp, Deputy Clerk, were present.

Mayor Camp – would like to recognize a former Westampton Township Committeewoman, Audrey Wright, who recently passed away.

Minutes of the April 14, 2009 meeting. Closed Session minutes of April 14, 2009. Motion to accept by Mr. Maybury, second by Mr. Daniels. All voted yes.

**Scheduled Appointments**

7:00 PM Closed Session – the Committee had met for Executive Session to discuss potential litigation and contracts.

7:30 PM Gary LaVenia – Burlington County Bridge Commission – was before the Committee to discuss grant writing, pooled loan and lease financing and shared services.

**Open Meeting to Public for Comment on Agenda Items**

Norm Miller – asked if the resolution for the Sports Complex would be voted on. It would not be voted on this evening but could be discussed. He does not object to the project moving forward but is very concerned about the amount of money coming out of the Open Space fund; he is urging the Committee to fund it without going into Open Space funds.

Nancy Burkley – she asked about the Budget, if it was for final adoption. It is for final adoption. She asked how much was budgeted for recreation. There is nothing budgeted for recreation, recreation is funded by what is earned through program sign ups. She is confused about the

starting time for the meetings, there was a presentation before hand, this is not public friendly, they should have to advertise when the meeting was going to start.

Mayor Camp – does not like executive sessions, he thinks every meeting should be open to the public. Donna Ryan advertises that meetings start at 8:00 PM but the Committee can have executive session and various scheduled appointments beforehand, which would start earlier than 8:00 PM. We will make sure that the agenda will be posted on the website the Friday before the meetings. Regular business will never be conducted until 8:00 PM. The meeting will be opened at 7:00 PM and the first seven items of business will be conducted but would stop there, if there were any scheduled appointments or executive sessions.

John Mumbower – asked what the resolution was that wouldn't be discussed. The resolution is for Phase 2 of the Sports Complex which includes the concession stand. Our new Township engineer is now looking at it. He asked the Committee who is for the project and who is against the project. Mr. Maybury agrees it is needed, it is a necessary project, but they don't know how it will be financed with the exception of the depletion of the Open Space funds. They don't want to use all of the money in the fund; there should be another way to fund the project, which was why he voted no. We need to find an alternate funding source.

Mayor Camp voted no last year because he felt it was poor planning and that they were rushing to get it done. We voted on our first change order at the last meeting which he feels was unnecessary due to the rushing. He is not opposed to the project but thinks it should be planned correctly, he feels that this Committee is now stuck figuring out how to finance the project.

Mr. Robbins had no choice about Phase 1, it was already signed contracts. As far as Phase 2, he thinks we should not spend any more Open Space money on further expansion of the sports complex. If we could find another way to fund it, he would certainly consider it.

Mr. Mumbower asked what the acquisition of the DeNofa Farm and Chitester farms would cost and how it would compare to the costs of Phase 1 of the sports complex. He asked what the current balance was in the Open Space fund, it is approximately \$800,000. He has seen how much money concession stands can generate, it is his suggestion that, at a minimum, to put the concession stand in to generate money. The building can generate some funds. You can at least get a baseball organization in there that will spend money. Mr. Robbins hasn't received any projections on what such a concession stand would generate. He would like to see a financial statement of net revenue presented to him. He is not opposed to building the concession stand, just opposed to using more Open Space funds for the Sports Complex.

Mayor Camp commented that we talked about all this last year, in the meeting in the courtroom that lasted hours. The Committee has never seen anything from Sacred Heart in writing. Mr. Mumbower asked if he could get it in writing, would it help the cause. Mayor Camp said it would provide more information to the Committee. It is their biggest task to figure out how to pay for this.

Tom DiOrio – asked about the Open Space referendum, the first was in 1999. We have only preserved 8 acres of undeveloped land; everything else is being developed as the sports complex.

He thinks it is a half baked plan and was rushed through, now we are paying the consequences. He thinks acquisition of open space should be the priority.

Barbara Rich – on May 4, 2009 from 9:00 AM -1:00 PM there will be an educational forum regarding Open Space, Farmland and Historic Preservation. She would email Donna Ryan the information.

Janet Curran – thinks the concession stand should have been part of Phase 1 since it would generate money. She sees the new fencing installed along Rancocas Road. Everything is basically ready to go for the Timbuctoo memorial ceremony on May 24th at 2:00 PM, the sign has been ordered, the Westampton Historical Society is paying for it. She asked about transportation to the site, due to the traffic and road conditions and wondered how it would work. Donna Ryan stated that they may be using busses if necessary. Mayor Camp stated that everyone is welcome to attend.

Mary Weston – is concerned about Church Street. She wanted to know if funding was available, there are many pot holes in the road. She would like to see the pot holes filled and smoothed out so that it doesn't present a hazard, even to people walking on the road.

### **Old Business**

Beazer Homes – part of today's discussion involved Beazer, Mayor Camp was pleased to see the punch list reduced to two or three pages from the original twenty three pages. There may be some on going litigation.

Timbuctoo – Bill Bolger, Dave Orr and Patricia Markurt of Temple University were present. This is a spectacular archeological site, of national significance. The first step is the gathering of information, interviews, etc. They have completed a test dig, and have found evidence of a house as well as a civil war button, worn by one of the soldiers buried in the cemetery. They are planning on doing a geophysical survey which would not disturb the ground. The results will give a map of the area showing where things have been disturbed over time. They use radar and a magnetometer in order to determine where to dig; it is conservative and won't require much disturbance of the area. He thinks it is wonderful that the Township purchased the land and has preserved it; he commends the Township. Mr. Daniels thanked them for their work; he thinks the story needs to be told.

Donna Ryan - we have a professional services agreement but we need the money to pay for the survey; we need \$21K and an additional \$6800 for the cemetery in order to conduct the survey. Mr. Robbins made a motion to fund this using Open Space funds; it was seconded by Mr. Maybury. All voted yes.

Rancocas Community Center – negotiations are continuing, Richard Rybak has a revised draft of the deed which the Committee received this evening.

Cable Franchise – the application for Renewal of Municipal Consent was filed. The public hearing will be on July 14, 2009. Mr. Daniels asked if Verizon was part of this; they are not, it is a separate issue.

### **New Business**

1. Resignation – Karen Sampson from Environmental Commission – the Committee received her letter of resignation. Mayor Camp asked if there were any recommendations for someone to replace her. This position is part of the LDB. Mr. Robbins made a motion that Tom DiOrio be appointed to the EAC; Mr. Daniels seconded the motion. All voted yes.
2. Wawa Parking Lot Construction – this letter would be forwarded to the LDB for consideration and for LDB Solicitor Fred Hardt to give an opinion. Mr. Maybury commented that the lot is a disaster, it needs to be improved.
3. Green Acres Award – this is for a half million dollar grant for land acquisition.
4. Fire Prevention Report – the program the department is running is extremely successful, they starting a list of residents who are physically unable to change their own smoke detector batteries.
5. PW Report – they are now in the busiest time of year. The mowing operation has started, building repairs, pothole patching and filling. They are doing their best to get to all of the potholes, the list is quite extensive. Mr. Maybury asked if the Township has any enforcement action to prevent contractors from cutting trees and placing limbs at the curb. We can only do this if we catch them.
6. EMS Report – Safety Officer Whitley had her baby, she will be out until mid July. Mr. Robbins asked Chief Johnson about the department's preparation for the swine flu; the County First Aid Council is meeting tonight, as well as a scheduled emergency management meeting Friday, he expects it will be one of the topics addressed.
7. JIF Safety Report – one of the recommendations for this year was to provide the Committee with information about our JIF safety meetings. They will be provided with a quarterly report. We will be conducting a hearing conservation program for the Public Works Department, and have provided the Police Department with special gloves to prevent needle sticks. We achieved a gold medal for 2008, with a higher award amount. We have been very successful; it has involved a lot of hard work. Mr. Robbins commended Chief Wylie Johnson for doing a great job as head of the Safety Committee. Mayor Camp has been on the Township Committee for two years now and this is the first time he has seen a report, he thanked Chief Johnson for providing it.
8. Police Report – one page of the report is missing. The vehicle with the bad transmission is now out of service. We have lost three transmissions in five months. The Department would like to switch to Dodge Chargers; Ford Explorers have now dropped off the state contract, which

increased the price by \$4500. This should lead to a savings in fuel costs. Mr. Adams made a motion to switch to Dodge Chargers; seconded by Mr. Robbins, all voted yes.

### **Resolutions**

70-09 Payment of Vouchers – motion to approve by Mr. Adams; seconded by Mr. Daniels. All voted yes. Mr. Robbins asked about the sports accident policy for Hardenburgh Insurance Group; he wanted to know why this is coming out of the general fund. Donna Ryan explained we must pay for this out of our insurance fund according to the auditor. He then asked about a bill for traffic engineering; this is paid out of the applicant's escrow fund. The pens and pencils for the Police Department are paid for comes out of the drug fund, these are given to the schools. The series of bills totaling \$14,000 are RCASA drug alliance bills. The Township has paid about \$23K out of the Recreation Trust Fund; he thinks the Committee should have to approve these bills first before they are paid.

71-09 Local Examination of 2009 Budget – motion to approve by Mr. Maybury; seconded by Mr. Adams. All voted yes. Mr. Robbins extended his congratulations to the manager's office and the CFO for putting us in a position where we can approve this.

72-09 Budget by Title – motion to approve by Mr. Daniels; seconded by Mr. Maybury. All voted yes, with the exception of Mr. Robbins, who voted no.

73-09 Adopt 2009 Budget - motion to approve by Mr. Maybury; seconded by Mr. Daniels. All voted yes.

74-09 Authorize Bid for Phase 2 of Sports Complex – **TABLED**

75-09 Municipal Court Change Fund – motion to approve by Mr. Daniels; seconded by Mr. Maybury. All voted yes.

76-09 Closed Session – motion to approve by Mr. Maybury; seconded by Mr. Daniels. All voted yes.

### **Ordinances**

5-2009 Bond Ordinance – second reading. Motion to approve by Mr. Daniels; second by Mr. Maybury. All voted yes. This was opened to the public for comment. Tom DiOrio asked for further explanation, he wanted to know if this was included in the budget; it is, they are capital items. Nancy Burkley asked if air conditioning was being added to any buildings, it is not, two existing units are being replaced. There was no further comment from the public.

### **Workshop Items**

No update on these items at this time:

1. Fernwood Springs Farm
2. Project Freedom
3. Environmental Resource Inventory

### **Dates to remember**

5/1/09 – Eastampton Municipal Court merger effective date

5/2/09 – Rancocas Ham Supper 4:00 PM – 7:00 PM

5/24/09 – Memorial Day celebration at Timbuctoo cemetery 2:00 PM

5/25/09 – American Legion celebration – 10:00 AM – Rancocas Road

### **Comments**

Mr. Adams – on April 18th he attended a presentation to the American Legion Post 509, on the 19<sup>th</sup> of April the Am Vets had a meeting at Rancocas Community Center, he presented the resolutions to them. The twelve thousand dollars John Mumbower spoke about earlier in the meeting was a one day total for a baseball tournament taken in by Sacred Heart CYO.

Mr. Robbins – asked about the Tarnsfield Swim Club contract in the packet; he would like it added to the agenda. Mr. Daniels thinks Mr. Robbins had asked at a prior meeting for this information to be provided.

Mr. Daniels – thanked Mr. Adams for attending both of those meetings and covering for him. He had attended a Westampton Township Recreation meeting on April 15th; there is a need for a pavilion to be installed behind our Recreation Center on Springside Road. The primary purpose is to provide shelter and shade for the rentals occurring at the center. Philabundance may also be interested in using the building for food distribution; the pavilion could be used for this purpose. He took a drive down and looked at the sports complex; he feels that in order to benefit we need to complete it; other municipalities have places such as this. We do need to balance this and must make sure the resources and monies are in place, he will reserve his opinion until a later time.

At this point the meeting was opened to the public for comment.

### **Comments from the Public**

Nancy Burkley – asked where the money comes from in the Recreation Trust Fund. It comes from the sports sign ups; it is not from tax payer's money. She asked if the insurance for the Tarnsfield pool was being paid by the Township; the pool pays for their own insurance policy.

Jim Jacob – asked the Committee to help with trying to figure out a way to have the proposed driveway for the recently approved Dolan project to be relocated onto Ikea Drive instead of Springside Road. He wants to see if something can be done to make this happen. Mayor Camp commented that Donna Ryan had already written a letter to Ikea, and at least when speaking with

them, they sounded favorable, the Township is working on it. Even though he was not in attendance that evening, he is aware of the comments that were made by the residents at the last LDB meeting.

Barbara Rich – the Garden State Preservation Fund is now out of money

Norm Miller – wanted to reinforce Mr. Jacob’s comment about the Dolan driveway relocation. He has a question regarding the fence that is required to be installed along Rancocas Road at the Sports Complex site. He wants to know what exactly the fence accomplishes. Mayor Camp thinks it prevents pedestrian traffic across Rancocas Road. Donna Ryan stated that the fence will also stop kids playing soccer from chasing a ball out onto the road.

Janet Curran – she agrees with Mr. Daniels, she thinks the sports complex is a dream for the Township, but we need to slow down, it won’t be a money maker for at least two to three years.

Mrs. Weston – is asking the County engineer to install a flashing light at the Church Street/Rancocas Road intersection. Mayor Camp wants Donna Ryan to contact Tom Jaggard, and see if she has a response in time for the next meeting.

Tom DiOrio – commends the Committee for spending some money on Timbuctoo and preserving it. Thanked them for sending him back to the EAC.

John Mumbower – he is on the Recreation Committee although he wasn’t part of it when they were planning the Sports Complex. He feels that the concession stand will generate money.

Nancy Burkley – wanted to be assured that the schools would have full priority at the fields. Donna Ryan assured her that they would, it has already been worked out.

Mr. Robbins – would like the Recreation Committee to develop a Sports Complex usage plan for the Committee. Donna Ryan stated there is one already, she would add more to it to make sure it was complete.

Mayor Camp – the Governor was in town last Tuesday, April 21. He toured one of our facilities in town that manufactures LED lighting. They talked about possibly retrofitting either one of the schools or else our municipal building. Mayor Camp complemented Chief Smith about his progress with community policing.

With no further comment the meeting was closed to the public.

There were no further comments and the meeting was adjourned.

Respectfully submitted,

Marion Karp, Deputy Clerk