

CINNAMINSON TOWNSHIP COMMITTEE
REGULAR SESSION MINUTES
April 15, 2019

Mayor McGill announced that 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 duly noticed to the Burlington County Times and the Courier Post on January 11, 2019.

In attendance: Mr. Conda, Mrs. Kravil, Mr. Segrest, Mayor McGill. Also present: Eric Schubiger, Administrator; Julia Edmondson, CFO; Stuart Platt, Solicitor;

Chief Calabrese presents Police Department Officers with awards.

Presentation by David Wyche from the Burlington County Department of Economic Development regarding their Small Business Loan Program.

Liaison Reports:

Administration and Health & Senior Services – Committee Member Conda

Cinnaminson has been awarded \$252,000 by the Department of Transportation 2019 Municipal Aid Program. This will be used for Phase II of the reconstruction of Union Landing Road. Secondly, CPR and AED training was provided by the Garden State Municipal Joint Insurance Fund. All 36 municipalities who are part of the JIF participated in a wellness challenge. 45 Cinnaminson employees took part in the challenge. Cinnaminson Township won as we had the highest percentage of employees participate. Also new work flow software is being implemented within the Township. The software will assist the staff by allowing for better efficiency. As it is rolled out it will also allow residents to submit concerns and requests through the software as well as provide a better means to reserve facilities and field use within the Township. Training on this began with the staff last week. Lastly, Fox 29 contacted the Township to ask us to participate in the Town Takeover event that they have scheduled at The Breakfast Nook on April 29th from 4 to 10:00 am. It’s an opportunity for Cinnaminson to come out and show your Cinnaminson pride. That concludes my report.

Public Works – Committee Member Segrest

I’d first like to give an update on the East Riverton Drainage Study. Cinnaminson Township with the help of Pennoni Engineering has been conducting a study of drainage concerns in portions of the East Riverton section of the Township. Pennoni has finalized their proposal for the scope of the work and an informational session has been scheduled. Properties in the study area were mailed letters notifying them of the date and time of the information session.

Department of Public Works activity since our last meeting – Brush and leaf pickup continued. April was leaves only. The processing of brush, leaves mulch and street sweeping, removal of 13 dead trees, grinding of trees stumps, filling potholes, maintenance of the parks in preparation for

baseball and softball opening days. They did a great job in preparing those fields. They have been doing spring cleaning around town hall, police station and library including installation of landscaping, shrubbery at Wood Park, concession stand and around the digital sign at town hall. They continue cleanup of Poets Walk pocket park including, cleaning of town hall, library and police department, maintenance of public works and police department vehicles and equipment. Daily recycling hours are 7:30 am to 12:00 pm collecting electronics, TV's, microwaves, tires, paint, leaves and brush. That concludes my report.

Finance and Veterans Affairs – Committee Member Kravil

For finance the resolution to introduce the 2019 budget is on tonight's agenda. As chair of the finance subcommittee myself, Deputy Mayor Horner, Administrator Schubiger and CFO Edmondson have spent a lot of time examining and fine tuning the budget. While collectively we take pride in this budget I want to take a moment to thank our CFO who worked extremely hard on this budget all year long. Thank you Julie. You will notice that the budget for 2019 is calling for no municipal increase. The municipal tax rate will be stable once again this year. I am so proud of the work that the CFO, with the administrator and this team were able to accomplish with keeping this stable budget, all without decreasing any municipal services. As per tradition and formality at our May 20th public meeting a presentation of the budget will take place to provide further details and answer any questions. We are also introducing a capital ordinance for 2019 which will include proposed capital improvements. The ordinance will include the Wayne Avenue Bridge. This is a long awaited project that has been in the works for years. We are pleased that the needed improvements will be addressed.

For veteran's affairs we are in discussions to finalize a Memorial Day ceremony. The administrator has met with Chief Calabrese, Chief Kramer to coordinate a ceremony that will take place here at town hall. The time and specific program information will be available in the next couple of weeks. This concludes my report.

Parks & Recreation and Economic Development – Administrator Schubiger

On the Economic Development we are making great progress with the Lidl project. There is constructive DOT approval on that project. We are moving in the right direction. The Burger King project is moving along. Also Starbucks has now opened. We are hoping for a ribbon cutting ceremony to take place very soon. In addition, the Chase Bank will be opening on May 10th as of now. There will be a Grand Opening. I will follow up with committee on the date and time. For the Siena project is moving along. The MEND project has seen great progress. Finally, I know everyone can understand that I can't give too many details at this point but there is much interest in the Azalea Farm Property.

For Parks and Recreation both baseball and softball have had their opening days. All of our spring programs are in full spring. One of the things we are doing with our Gov Pilot software is trying to improve facility building use for in house staff and general public to make that process easier. We are excited about getting that off the ground.

Public Safety – Mayor McGill

March activity report since the last meeting total incidents responded 1145, total arrests 82, total quick calls 1210, total motor 362, motor vehicle summonses 380, total DWI 5. On April 5, 2019 Cinnaminson Police were notified by MADD that Police Officer Garrett McLaverty has been nominated and will be recognized for distinguished service to our community for DWI/DUI enforcement in 2018. On June 13, 2019 Police Officer McLaverty will be receiving the Recognition of Excellence Award at Rutgers University located in New Brunswick, New Jersey.

Lastly, Thursday, April 11th Cinnaminson Police Department executed a search warrant on the 1500 block of Wynwood Drive. Police said they shut down a narcotics operation after a four-month investigation. Detectives seized heroin, methamphetamines, fentanyl pills, LSD, marijuana and packaging materials intended for distribution as well as 100 used hypodermic syringe needles scattered throughout the residence. Eight adults living in squalor were arrested as a result of the investigation. They were all charged with a list of offenses including possession, distribution of CDS in a school zone, possession of an imitation firearm and drug paraphernalia, possession and distribution. The Cinnaminson Police Department worked in conjunction with the New Jersey State Police and Riverton Borough and thanks them for their assistance. I'd also like to thank the men and women of the Cinnaminson Police Department. As Chief Calabrese said these awards; it has been eight or nine years since they were brought back to the public and I'm glad to see them back. Chief Calabrese you have a fantastic department. Thank you.

Introduction of Resolution 2019 – 61 2019 Municipal Budget. Mayor McGill asks for a motion to introduce Resolution 2019 – 61. MOTION TO INTRODUCE RESOLUTION 2019 – 61 MADE BY MRS. KRAVIL, seconded by Mr. Conda. Roll call vote. All aye. Resolution 2019 – 61 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

Introduction of Ordinance 2019 – 4 To exceed the Municipal Appropriation Limits and to establish a Cap Bank. Mayor McGill asks for a motion to introduce. MOTION TO INTRODUCE ORDINANCE 2019 – 4 MADE BY MR. SEGREST, seconded by Mrs. Kravil. Roll call vote. All aye. Ordinance 2019 – 4 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

Introduction of Ordinance 2019 – 5 Authorizing Capital Improvements: Appropriating \$2,109,000: Authorizing Issuance of General Obligation Bonds in the Aggregate Principal Amount of \$2,109,000. Mayor McGill asks for a motion to introduce. MOTION TO INTRODUCE ORDINANCE 2019 – 5 MADE BY MRS. KRAVIL, seconded by Mr. Segrest. Roll call vote. All aye. Ordinance 2019 – 5 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

Introduction of Ordinance 2019 – 6 Cancelling Certain Funded Appropriation Balances and Reappropriating. Mayor McGill asks for a motion to introduce. MOTION TO INTRODUCE

ORDINANCE 2019 – 6 MADE BY MRS. KRAVIL, seconded by Mr. Segrest. Roll call vote. All aye. Ordinance 2019 – 6 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

Introduction Ordinance 2019 – 7 2019 Salary Ordinance MOTION TO INTRODUCE ORDINANCE 2019 – 7 MADE BY MRS. KRAVIL, seconded by Mr. Segrest. Roll call vote. All aye. Ordinance 2019 – 7 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

Ordinance 2019 – 8 Amending Chapter 486 of the Code of the Township of Cinnaminson Entitled “Tobacco, Sale and Use Of” MOTION TO INTRODUCE ORDINANCE 2019 – 8 MADE BY MAYOR. MCGILL, seconded by Mr. Conda. Roll call vote. All aye. Ordinance 2019 – 8 is introduced. To be advertised in the Burlington County Times with public hearing on May 20, 2019.

ORDINANCE PUBLIC HEARING:

Public Hearing on Ordinance 2019 – 1 Amending Chapter 330 Entitled “Land Use Procedures” and Chapter 10, Entitled “Administration” Mayor McGill opens for public comment.

Marie Birbeck, 2513 Chestnut Hill Drive asks what this ordinance is about. Mr. Platt explains that the Site Plan Review Committee will be apprised of the Economic Development Committee members.

Seeing no one else come forward Mayor McGill closes the public hearing on Ordinance 2019 – 1. MOTION TO APPROVE ORDINANCE 2019 – 1 MADE BY MR. SEGREST, seconded by Mrs. Kravil. Roll call vote. All ayes. Ordinance 2019 -1 is adopted.

ORDINANCE 2019 – 1

ORDINANCE OF THE TOWNSHIP OF CINNAMINSON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, AMENDING CHAPTER 330 ENTITLED, “LAND USE PROCEDURES” AND CHAPTER 10, ENTITLED “ADMINISTRATION” OF THE CODE OF THE TOWNSHIP OF CINNAMINSON

WHEREAS, Chapter 330 of the Code of the Township of Cinnaminson, entitled “Land Use Procedures,” provides rules, regulations and standards to guide land use applications in the Township of Cinnaminson so as to promote the public health, safety, convenience and general welfare of the municipality; and

WHEREAS, the Zoning Officer and the Site Plan Advisory Review Committee are tasked to determine whether a full site plan and submission to the Planning Board is required; and

WHEREAS, to better promote the health, safety, convenience and general welfare of the residents of Cinnaminson Township, the Mayor and Township Committee have determined that the membership of the Site Plan Advisory Review Committee should be composed of the same membership as the Economic Development Committee; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Township Committee of the Township of Cinnaminson, County of Burlington and State of New Jersey as follows:

SECTION 1: Article III, entitled “Departments Generally,” of Chapter 10, entitled, “Administration,” is hereby amended, revised and/or supplemented to read as follows:

Article III. Departments Generally

§ 10-9 Department liaisons.

Pursuant to the provisions of N.J.S.A. 40A:63-7, members of the Township Committee shall serve as department liaisons to various departments, offices and positions, and said designation shall be by the Township Committee. Each member of the Committee shall be department liaison to at least one Township department, and, if necessary, position or office. Duties of a department liaison shall be to:

A. to D. [No Changes.]

E. There shall be the following departments:

(1) [No Changes.]

(2) [No Changes.]

(3) Department of Community and Economic Development, which shall include:

(a) to (g) [No Changes.]

(h) Economic Development Committee, which shall consist of five members appointed annually to one-year terms by the Township Committee.

(i) [No Changes.]

(4) to (7) [No Changes.]

SECTION 2: Article II, entitled “Site Plans,” of Chapter 330, entitled “Land Use Procedures,” is hereby amended, revised and/or supplemented to read as follows:

Article II. Site Plans

§ 330-100 Site plans.

A. to F. [No Changes.]

G. Site plan waiver; Site Plan Review Advisory Committee.

(1) Site Plan Review Advisory Committee created. There is hereby created a Site Plan Review Advisory Committee which shall review matters referred by the Zoning Officer, site plans which have been properly submitted to the Planning Board Secretary or applications for site plan waivers (which shall also be submitted through the Planning Board Secretary). The Site Plan Review Advisory Committee shall consist of the members of the Economic Development Committee as appointed by Township Committee as set forth in § 10-9.

(2) [No Changes.]

(3) [No Changes.]

§ 330-101 to § 330-119 [No Changes.]

SECTION 3: Except as set forth in Sections 1 and 2 above, the balance of the Code of the Township of Cinnaminson shall not be affected by this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect immediately upon final passage, adoption and publication in accordance with the law.

Public Hearing on Ordinance 2019 – 2 Amending Chapter 19 Entitled “Claims Approval”.

Mayor McGill opens for public comment. Seeing no one come forward Mayor McGill closes the public hearing on Ordinance 2019 -2. MOTION TO APPROVE ORDINANCE 2019 – 2 MADE BY MRS. KRAVIL, seconded by Mr. Segrest. Roll call vote. All ayes. Ordinance 2019 – 2 is adopted.

ORDINANCE 2019 – 2

ORDINANCE OF THE TOWNSHIP OF CINNAMINSON, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, AMENDING CHAPTER 19 OF THE CODE OF THE TOWNSHIP OF CINNAMINSON ENTITLED, “CLAIMS APPROVAL”

WHEREAS, Chapter 19 of the Code of the Township of Cinnaminson, entitled “Claims Approval,” outlines the procedures that are used for approval of payments of claims to persons claiming payment from the Township; and

WHEREAS, recently adopted N.J.S.A. 40A:11-19.1 outlines new mandatory deadlines for contract payments to vendors and separate payments of interest to vendors; and

WHEREAS, the Mayor and Township Committee have determined that Chapter 19 of the Township Code should be amended to comply with the deadline requirements of N.J.S.A. 40A:11-19.1; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Township Committee of the Township of Cinnaminson, County of Burlington and State of New Jersey as follows:

SECTION 1: Chapter 19, entitled, “Claims Approval,” is hereby amended, revised and/or supplemented to read as follows:

CHAPTER 19 CLAIMS APPROVAL

§ 19-1 Presentation of bill of demand.

[No Changes]

§ 19-2 Certification.

[No Changes]

§ 19-3 Approval by responsible committee.

Claims shall then be presented to the Chairman of the committee responsible for the placing of the order, who, if satisfied that the claims are proper, shall approve the same. One or both members of the Finance Committee will then approve the claims if satisfied that the claims are proper and in order. After such approvals are given, the claims are filed with the Municipal Clerk, who shall present these claims to the governing body for approval at a regular meeting or special meeting when necessary to satisfy the deadline requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

§ 19-4 Approval or rejection by governing body.

[No Changes]

§ 19-5 Recordation.

[No Changes]

§ 19-6 Listing of claims.

A list of all claims shall be presented for approval at the next regular meeting or special meeting when necessary to satisfy the deadline requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.). After approval, claims shall be listed in a book or record to be designated as "Claims Approved by Governing Body on _____ (insert date) _____." This listing shall be amplified by appropriate detail in the minutes to permit ready identification.

§ 19-7 Notations on claim.

[No Changes]

§ 19-8 Payment.

[No Changes]

§ 19-9 Payroll.

[No Changes]

§ 19-10 Reimbursement of expenses.

[No Changes]

SECTION 2: Except as set forth in Section 1 above, the balance of the Code of the Township of Cinnaminson shall not be affected by this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon final passage, adoption and publication in

Public Hearing on Ordinance 2019 – 3 An Ordinance to Amend Chapter 265 Relating to Fees, and Specifically, Chapter 265-2 Relating to Fees for Outside Employment of Police Officers. Mayor McGill opens for public comment.

Lisa Killion Smith, 1202 Highland Avenue - asks for explanation of what this ordinance is about. Mayor McGill explains that this is the rate that police officers can get for outside jobs and what they can make for non-profits also. Seeing no one else come forward Mayor McGill closes the public hearing on Ordinance 2019 - 3.

MOTION TO APPROVE ORDINANCE 2019 -3 MADE BY MR. CONDA, seconded by Mrs. Kravil. Roll call vote. All ayes. Ordinance 2019 – 3 is adopted.

ORDINANCE 2019 – 3

AN ORDINANCE TO AMEND CHAPTER 265 RELATING TO FEES, AND SPECIFICALLY, § 265-2 RELATING TO FEES FOR OUTSIDE EMPLOYMENT OF POLICE OFFICERS

WHEREAS, the police department has requested an amendment to the per hour fee charged to private vendors who contract off duty police officers for traffic and crowd control so the same properly reflects the cost of service without a burden on the taxpayer; and

WHEREAS, the Township has determined that further adjustments are appropriate.

The remainder of the Chapter shall remain as adopted by Ordinance 2014-8

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that Section 265-2(A) of the General Code of the Township of Cinnaminson relating to police outside employment contracts is amended to change the rate from “\$65 per hour” to “\$85 per hour.” that Section 265-2(B) of the General Code relating to administrative fee is amended to change the rate from “\$50 per day” to “\$15 per hour or a minimum of \$50 per day” that Section 265-2(C) of the General Code relating to Municipal vehicle used by private employer: is amended to change the rate from “\$12.50 per hour” to \$18.50 per hour or from \$100 per day for an eight-hour day per vehicle to \$150 per day for an eight-hour day per vehicle.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Public Comment on Consent Agenda only

Mayor McGill opens public comment on consent agenda items only.

Marie Birbeck, 2513 Chestnut Hill Drive – asks for an explanation of Resolution 2019 – 64. Mr. Platt explains that this is regarding the old Jiffy Lube site. There needs to be a minor subdivision for this last piece. This authorizes Pennoni to do the minor subdivision. Also asks about Resolution 2019 – 65. Mr. Schubiger explains that this is to add a special detergent to enable them to maximize the efficiency of that part of their operation. Committee is authorizing the aesthetics and basic concept of the plan.

Ben Young, 116 Woodview Lane – asks about approval of concept reviews. Mr. Platt and Mr. Schubiger clarify that this is for aesthetics and concept review only as recommended by the Economic Development Committee. Approvals from the appropriate boards are still necessary

Seeing no one else come forward Mayor McGill closes public comment on the consent agenda.

CONSENT AGENDA:

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| Resolution 2019 – 62 | EEOC Compliance Certification |
| Resolution 2019 – 63 | Granting Concept Review Approval for Proposed Site Plan and Elevations for Riggins Service Station, Block 1005, Lots 1 and 2 |
| Resolution 2019 – 64 | Appointing Pennoni Associates Inc. as Engineer to Prepare Minor Subdivision Plan for Block 1404, Lot 1 |
| Resolution 2019 – 65 | Granting Concept Review Approval for Bajwa Enterprises, LLC Tank Plan for Block 702, Lot 23 |
| Resolution 2019 – 66 | Authorizing Cinnaminson Township to Become a Member of the “Burlington County Coastal Communities Coalition” |
| Resolution 2019 – 67 | Authorizing Donation of Bicycles from Cinnaminson Police Department to New Covenant Ministries, Inc. |

MOTION TO APPROVE CONSENT AGENDA MADE BY MAYOR MCGILL, seconded by Mr. Segrest. Roll call vote. All aye. Consent agenda is approved.

Approval of Minutes:

Mayor McGill asks for a motion to approve the minutes of April 1, 2019 and April 1, 2019 Closed. Mr. Conda notes that there is a correction needed that he has spoken to the Clerk about. MOTION TO APPROVE MINUTES AS AMENDED MADE BY MR. CONDA, seconded by Mrs. Kravil. Roll call vote. Ayes – Mr. Conda, Mrs. Kravil, Mayor McGill. Mr. Segrest abstains. Minutes are approved.

Approval of Bill List

Mayor McGill asks for a motion to approve the bill list. MOTION TO APPROVE THE BILL LIST MADE BY MR. SEGREST, seconded by Mayor McGill. Roll call vote. All ayes. Bill list is approved.

Staff and Professional Comments:

Mr. Schubiger thanks Chief Calabrese for recommending the awards be presented at the committee meetings again. Also thanks the police department for everything that they do.

Mr. Schubiger also commends the County Economic Development Department. It is a great opportunity for the town and our businesses. Asks for committees support in working with the County Economic Development Department and adding their link to our website. We are working with them on our Master Plan reexamination at no charge to our taxpayers.

Public Comment:

Mayor McGill opens the public comment portion of the meeting.

Marie Birbeck, 2513 Chestnut Hill Drive – asks why Parker McCay was chosen as bond counsel. Mr. Schubiger explains that we had appointed another bond counsel but due to a change in their personnel we had to go back out for proposals for bond counsel. He states that Parker McCay are the most qualified and most experienced. Mr. Platt concurs. Also asks for an update on where committee stands on topic of cannabis. Mr. Schubiger states that nothing has been decided. The subcommittee is still meeting and discussing. Lastly, Ms. Birbeck asks what the status of Ravenswood Park is? Superintendent Day and Mr. Schubiger respond. Some of the delay is weather related. The Township is committed to completing the work.

Ben Young, 116 Woodview Ave – States that he is happy that the police department awards have come back to the Township committee meeting. He also supports working with the County Economic Development Department.

Seeing no one else come forward, Mayor McGill closes the public comment portion of the meeting.

Comments from Committee

Mrs. Kravil commends our police department on all of their achievements.

Closed Session

Mayor McGill asks for a motion to go into closed session for attorney client matters, contract negotiation, possible real estate transaction and litigation. MOTION TO GO INTO CLOSED MADE BY MAYOR MCGILL, seconded by Mr. Conda. Roll call vote. All aye. Mr. Platt advises that action may be taken when we return.

7:40 pm

MOTION TO COME OUT OF CLOSED SESSION MADE BY MR. SEGREST, seconded by Mrs. Kravil. Roll call vote. All aye.

8:22 pm

MOTION TO ADD RESOLUTION 2019 – 69 TO THE AGENDA SETTLEMENT OF BROOKS/LUER LITIGATION. MOTION TO APPROVE SETTLEMENT AS READ MADE BY MAYOR MCGILL, seconded by Mr. Conda. Roll call vote. All aye.

MOTION TO ADJOURN MADE BY MAYOR MCGILL, seconded by Mr. Segrest. Voice vote. All aye. Meeting is adjourned.

8:24 pm

Duly passed and adopted:

Respectfully submitted:

Lisa A. Passione, RMC
Municipal Clerk