

**CINNAMINSON TOWNSHIP COMMITTEE**  
**REGULAR SESSION MINUTES**  
**August 19, 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, Deputy Mayor Horner, Mayor McGill. Also present: Eric Schubiger, Administrator; Julia Edmondson, CFO; Stuart Platt, Solicitor; Lisa Passione, Municipal Clerk, Linda Galella, Parker McCay, Joseph Raday, Pennoni and Bernadette Morris, Pennoni

Reverend John Doll blesses the badge of Officer Jonathan McGugan.

Mayor McGill swore in Officer Jonathan McGugan

Presentation was given by Joseph Raday and Bernadette Morris from Pennoni regarding the Stormwater Drainage Improvement Report. Mr. Raday states area of study was Randolph St, Delaware and Pompess, also Inman, Riverside, Kern and Zeisner. He reviews what the existing conditions are and reviews the two options for what their recommendations would be.

**Liaison Reports:**

**Administration and Health & Senior Services** – Committee Member Conda

We have a couple big things starting to happen. The first of which is Mrs. Passione and Mr. Schubiger have met with our IT company to begin the process of a much needed overhaul of our website. I don't believe anything has been done with the website in seven or eight years. That will be a continuing effort. Also over the last few months Mr. Schubiger has gotten into place GovPilot which is a service integrated with our website whereby residents can file OPRA and Report A Concern requests with the Township or with the Department of Public Works. It's available on the website, through Google Play and through the Apple Store. You can also use it through your cell phone. This is now up and running and beginning to be utilized. This concludes my report.

**Finance and Veterans Affairs** – Committee Member Kravil

I wanted to make everyone aware that we are working with staff on our 9/11 Remembrance Ceremony. We will have a program ready and made available to everyone soon. Thank you Mr. Mayor. That concludes my report.

**Public Safety** – Mayor McGill

Total incidents for July were 1187, total arrests were 85, quick calls were 1092, total motor vehicle stops were 281, total motor vehicle summonses were 285 and total DWI arrests were 3. The Cinnaminson Police would like to remind everyone of the proper to report a crime or incident. Reporting emergencies to the Cinnaminson Police Department: if you are a victim of a crime or witness criminal activity you should report the incident to local law enforcement. Emergencies should be reported by calling 911. When reporting non-emergency incidents to the Cinnaminson Police Department you can file a police report by

visiting the police department or calling the non-emergency phone number. The non-emergency phone number for the Cinnaminson Police Department is 856-829-6666. Cinnaminson Municipal Alliance provides Narcan training at the Cinnaminson Community Center, 1621 Riverton Road. Participants will learn about the life saving antidote Narcan. Sessions are from 6 – 8 pm on August 21<sup>st</sup> and 28<sup>th</sup>. For more information, contact Municipal Alliance coordinator Kim Mauroff at 856-829-6000 ext. 2361. National Safety Council has established a Back to School checklist which includes helpful safety tips for parents and students as the new year begins. The nation’s leading safety advocate for more than 100 years, the NSC is a non-profit organization with a mission of eliminating injuries at work, home and communities. NSC advances this mission by engaging businesses, government agencies, elected officials and the public to help prevent injuries.

Cinnaminson Township celebrated National Night Out on August 6<sup>th</sup>. This fun educational Township event featured police, fire and emergency medical services equipment and crime watching information. Many community groups and area businesses hosted booths with information and giveaways, supporting the National Night Out theme.

**DISCUSSION ITEMS**

No Knock No Solicitation Decal

Chief Calabrese states that this is regarding a proposed ordinance where a resident can sign up to not have solicitors knock on their door. They will be given a decal to post on or near their door. Mr. Platt comments that residents will have to apply for the Do Not Knock decal and the solicitors will be given this list when they apply for the solicitor’s permit. There is also something called Do Not Drop. Mr. Schubiger states if committee approves he can work with Mr. Platt on a draft ordinance. Committee authorizes.

**ORDINANCE INTRODUCTION**

**ORDINANCE 2019 - 13**

MOTION TO INTRODUCE ORDINANCE 2019 – 13 AMENDING CHAPTER 525 ENTITLED “ZONING” (IR-INCLUSIONARY RESIDENTIAL DISTRICT) BY TITLE ONLY MADE BY MR. CONDA, seconded by Mrs. Kravil. Roll call vote. All aye. To be advertised in the Burlington County Times with public hearing on September 16, 2019.

**ORDINANCE 2019-14**

MOTION TO INTRODUCE ORDINANCE 2019 – 14 AMENDING CHAPTER 525 ENTITLED “ZONING” (IR-2 AND IR-3 ZONES) BY TITLE ONLY MADE BY MR. CONDA, seconded by Mayor McGill. Roll call vote. All Aye. To be advertise in the Burlington County Times with public hearing on September 16, 2019.

**ORDINANCE PUBLIC HEARING:**

**ORDINANCE 2019 - 9**

Mayor McGill opens public comment on Ordinance 2019 – 9 to amend Chapter 265, specifically 265-2 Outside Employment of Police Officers. Seeing no one come forward Mayor McGill closes public

comment on Ordinance 2019 – 9. MOTION TO ADOPT ORDINANCE 2019 – 9 MADE BY MRS. KRAVIL, seconded by Mayor McGill. Roll call vote. All aye. Ordinance is adopted.

**ORDINANCE 2019 – 9**

**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 minimum per vehicle to \$150 per day minimum 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.

**CINNAMINSON TOWNSHIP COMMITTEE**

**ORDINANCE 2019 – 10** Amending Chapter 243 Development Fees to Provide for The Collection of Development Fees in Support of Affordable Housing as Permitted by The New Jersey Fair Housing Act

Mr. Platt advised that Ordinance 2019 – 10 needed to be tabled until the September 16<sup>th</sup> meeting. MOTION TO TABLE ORDINANCE 2019 – 10 MADE BY MRS. KRAVIL, seconded by Mayor McGill. Voice vote. All aye. Ordinance is tabled until the September 16, 2019 meeting.

**ORDINANCE 2019 -11** Ordinance of The Township Of Cinnaminson Amending Chapter 145 Of The Code of the Township of Cinnaminson Entitled “Affordable Housing”.

Mayor McGill requested Linda Galella, Affordable Housing counsel, give an explanation of what the ordinance is about. Ms. Gallella explained that the ordinance is a mandatory set aside ordinance. As part of our affordable housing settlement all municipalities in the State of New Jersey are required to adopt this type of ordinance which controls future rezoning which involve multi-family housing, variances that involve multi-family housing and ensures that there will be a mandatory affordable housing set aside.

Mayor McGill opens public comment on Ordinance 2019 – 11 Ordinance of The Township Of Cinnaminson Amending Chapter 145 Of The Code of the Township of Cinnaminson Entitled “Affordable Housing”. Seeing no one come forward, Mayor McGill closes public comment.

MOTION TO ADOPT ORDINANCE 2019 -11 MADE BY MRS. KRAVIL, seconded by Mayor McGill. Roll call vote. All aye. Ordinance is adopted.

**TOWNSHIP OF CINNAMINSON**

**ORDINANCE NO. 2019 – 11**

**ORDINANCE OF THE TOWNSHIP OF CINNAMINSON  
AMENDING CHAPTER 145 OF THE CODE OF THE TOWNSHIP  
OF CINNAMINSON ENTITLED “AFFORDABLE HOUSING”.**

**WHEREAS**, the Township of Cinnaminson is required to amend certain provisions of Chapter 145 of the Code of the Township of Cinnaminson entitled “Affordable Housing” to facilitate the production of low and moderate housing pursuant to third round affordable housing proceedings in the Law Division of the Superior Court encaptioned In the Matter of the Application of the Township of Cinnaminson, Docket No. BUR-L-450-14 (Mount Laurel); and

**WHEREAS**, the purpose of this Ordinance is to accomplish the foregoing.

**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 145 of the Code of the Township of Cinnaminson entitled “Affordable Housing” be amended, modified and supplemented as follows:

**SECTION I.**

A new Chapter 145-XX entitled “Affordable Housing”.

145-XX. Mandatory Affordable Housing Set-aside in Future Rezoning or the Grant of Variances Authorizing Multi-Family Housing.

- a. Pursuant to directives of the Superior Court in the third round affordable housing proceedings encaptioned In the Matter of the Township of Cinnaminson, Docket No. BUR-L-450-14 (Mount Laurel), if the Township or its land use Boards permit, either through future rezonings

or the grant of variances, multi-family or single family attached development that is “approvable” and “developable” as defined in N.J.A.C. 5:93-1, et seq. at a gross density of six (6) units to the acre or more, or permits an increase in the already permitted density of a multi-family or single family attached zone or development resulting in five (5) or more net new dwelling units on the property, the Township and/or its land use Boards shall require that an appropriate percentage of the residential units shall be set-aside for low and moderate income households in accordance with N.J.A.C. 5:93-1, et seq. This requirement shall apply to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project which consists of five (5) or more net new residential units, whether permitted by a zoning amendment, a variance granted by the Township’s land use Boards, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation. Nothing herein precludes the Township from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to the provisions hereof consistent with N.J.S.A. 52:27D-311(h) and other applicable law. Consistent with N.J.A.C. 5:93-1, et seq., for inclusionary projects in which low and moderate income units are to be offered for “sale”, the appropriate set-aside percentage is 20 percent; for inclusionary projects for which the low and moderate income units are to be offered for “rent”, the appropriate set-aside percentage is 15 percent. This requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project. This requirement does not apply to any sites or specific zones otherwise identified in judicially approved Settlement Agreements under Docket No. BUR-L-450-14 (Mount Laurel) or the Township’s judicially approved third round Housing Element and Fair Share Plan (collectively “Compliance Plan”), for which density and set-aside standards shall be governed by the specific standards set forth therein. A property shall not be permitted to be subdivided so as to avoid meeting the above affordable housing requirement.

## **SECTION II. SEVERABILITY.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

## **SECTION III. INCONSISTENT ORDINANCES REPEALED.**

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance

are hereby repealed, but only to the extent of such inconsistencies.

**SECTION IV. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law and the filing of same with the Burlington County Planning Board pursuant to N.J.S.A. 40:55d-16.

**ORDINANCE 2019 – 12** Amending and Replacing Chapter 145 Affordable Housing Sections 1 through 12 to Address the Requirements of the New Jersey Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) Regarding Compliance with the Townships’ Affordable Housing Obligations

Mr. Platt advised that Ordinance 2019 – 12 needed to be tabled until the September 16, 2019 meeting. MOTION TO TABLE ORDINANCE 2019 – 12 MADE BY MR. CONDA, seconded by Mayor McGill. Voice vote. All aye. Ordinance is tabled to the September 16, 2019 meeting.

**RESOLUTIONS**

Ms. Galella advised committee that there are minor amendments to Resolution 2019 – 102 therefore this resolution will be tabled to the September 16, 2019 meeting.

**Resolution 2019 – 101** Endorsing the 2019 Housing Element and Fair Share Plan  
*This is the inventory of the Township’s municipal housing units, demographic characteristics in your town*

**Resolution 2019 – 102** Adopting August 2019 Spending Plan in Regard to Fair Share Housing  
*A summary of how the Township is going to meet our Affordable Housing obligations*

**Resolution 2019 – 103** Adopting Affirmative Marketing Plan in Regard to Fair Share Housing  
*There has to be certain outreach within the municipality, signs posted, publications to let as many people know as possible that there is affordable housing available.*

Mayor McGill asks for a motion to approve Resolutions 2019 – 101 and Resolution 2019 – 103 and table Resolution 2019 – 102 to the September 16, 2019 meeting. MOTION TO APPROVE 101 AND 103 AND TABLE 2019 – 102 MADE BY MR. CONDA, seconded by Mayor McGill. Roll call vote. All aye. Resolutions 2019-101 and 2019-103 are approved, Resolution 2019-102 is tabled to the September 16, 2019 meeting.

**CONSENT AGENDA**

- Resolution 2019 – 104 Authorize Memorandum of Lease Agreement Concerning 1621 Riverton Road Lease Agreement
- Resolution 2019 – 105 Authorize Shared Services Agreement with Board of Education to Provide Class III Special Law Enforcement Officers for 2019/2020
- Resolution 2019 – 106 Authorize Agreement Between NJDOT, Cinnaminson Fire District and the Township for Installation of Traffic Control Signal at Route 130 and Andover Road

Resolution 2019 – 107	Award of Add-On Bid #1 of Addendum #2 for Collection and Disposal of Solid Waste at Township Schools
Resolution 2019 – 108	Release of Performance Guarantee for Ewing Properties LLC (Burger King), 2802 Route 130 North, Block 2802, Lot 30
Resolution 2019 – 109	Appointing Michael Meenan as the Superintendent of Public Works
Resolution 2019 – 110	Extending Grace Period for 3rd Quarter Taxes
Resolution 2019 – 111	Authorize Submission of Grant Application of NJDOT Fiscal Year 2020 Road Program
Resolution 2019 – 112	Authorize Lease/Purchase of Police Vehicles
Resolution 2019 – 113	Authorize refund overpayment of taxes Block 3600, Lot 1, Riverton Road Refund
Resolution 2019 – 114	Authorize Refund Overpayment of Taxes Block 602, Lot 7, 2121 Land St.
Resolution 2019 – 115	Authorize Cancellation of Taxes for Totally Disabled Veteran, Reinas, 116 Helen Drive, Block 307.11, Lot 1 Qual C0116
Resolution 2019 – 116	Liens for DPW work
Resolution 2019 – 117	Establishing and Appointing Members to the Drainage Improvement Subcommittee
Resolution 2019 – 118	Appointment of Crossing Guards for 2019-2020 School Year
Resolution 2019 – 119	Authorize Award of Non Fair and Open Contract for Police Receiving Bay and Processing Room Resinous Package
Resolution 2019 – 120	Authorizing Tax Collector to Issue Duplicate Tax Title Certificates (2)
Resolution 2019 – 121	Acceptance of 2018 Audit for Review

**END OF CONSENT AGENDA**

Mayor McGill opens public comment on consent agenda items only.

Michael Goins, 100 Purnell Ave. – He believes the Drainage Improvement Subcommittee is a good idea. Seeing no one else come forward Mayor McGill closes public comment on the consent agenda.

MOTION TO APPROVE CONSENT AGENDA MADE BY MR. HORNER, seconded by Mayor McGill. Roll call vote. All aye. Consent agenda is approved.

**Approval of Minutes:**

Mayor McGill asks for a motion to approve the minutes of July 15, 2019 and July 15, 2019 Closed.

MOTION TO APPROVE MINUTES MADE BY MR. CONDA, seconded by Mayor McGill. Roll call vote. All aye. Minutes are approved.

**Approval of Bill List**

MOTION TO APPROVE THE BILL LIST MADE BY MRS.KRAVIL, seconded by Mayor McGill. Roll call vote. All aye. Bill list is approved.

**Staff and Professional Comments:**

Mr. Schubiger welcomes Officer McGugan to the police force.

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

Comments from Committee – None

**Public Comment:**

Cindy Pierson, 622 S. Pompess Ave. – Does not believe the Stormwater Drainage Improvement report addresses all of the problems. The issue of the rising groundwater was not addressed in this report. She believes poor construction practices inundate the creek with sediment and silt.

Elishia Dallman, 515 N. Pompess Ave. – She didn't see that North Read Avenue was included in the Stormwater Drainage report and feels that it should have been. She also believes that Cinnaminson Harbour has affected their properties flooding problems.

Michael Goins, 100 Purnell Ave. – The Planning Board approved a minor subdivision even though DEP stated that a permit was needed for 1203 Garfield Ave. Asks if the groundwater is high isn't it going to leach into the new residents? Suggests that traffic control device also be installed at Riverton Road.

James Aquilar, 1134 Bannard St. – The aerial shot of FEMA is from 2016, is this up to date? Asks who installed the pipe into Pompeston Creek? The creek is over maxed, will that be addressed? The company filling in, Shelby has it had an impact with the problem that we're having?

James Godwin, 1701 Adams Street – Their area has had a lot of flooding strictly at high tide. His neighbors leave their cars on high ground because they cannot park in their driveway. He would like to see the Township do a study of the Parry section also.

Elishia Dallman, 515 N. Pompess – would like to share photos of flooded properties and surrounding properties.

Seeing no one else come forward Mayor McGill closes public comment.

Mr. Platt requests that Mr. Raday respond to the questions submitted by the public.

Mr. Raday responds to questions from the public:

- Read Avenue was not included in their study
- Re: sump lines. There will not be infiltration. They are going to be solid pipes from the house to the header system then discharged to the inlets. No water will infiltrate into those lines.
- Re: Outlet at Pompeston Creek. There would be a duckbill system instead of a mechanical system which we find to be a better solution. We would need a permit from the DEP for this work.
- Regarding the question about the Shelby property Mr. Platt advises that no comment can be made regarding the property at this time as the property is currently under enforcement proceedings.
- The area encompassed by Adams and Jefferson they are submitting a proposal to committee to make some recommendations to alleviate the flooding in that area.
- During high tide, the way to prevent flooding would be to install the duckbill system.
- Regarding alleviating the flooding on Pompess, we would put in pump systems to alleviate the problem.

Mr. Platt asks about the Army Corp of Engineer and how they get involved. Mr. Raday responds if you are doing work in State owned waters they would become involved. They would not get involved in the creeks or tributaries.



Mr. Schubiger responds to Mr. Goins that they will note his suggestion of the traffic light at Riverton Road. He also notes that the area of study for examination came to us. That does not mean that we are not looking at other areas at the same time. We know that this is not an isolated issue.

Mr. Conda and committee welcome Mr. Meenan to the Township.

MOTION TO GO INTO CLOSED SESSION FOR LAND SALE AND ACQUISITION MATTERS AND ECONOMIC DEVELOPMENT MADE BY MAYOR MCGILL, seconded by Mr. Horner. Voice vote.  
All aye

8:05 pm

MOTION TO RETURN TO OPEN SESSION MADE BY MR. HORNER, seconded by Mr. Conda.  
Voice vote. All aye.

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

8:38pm

Duly passed and adopted:

Respectfully submitted:

---

Lisa A. Passione, RMC  
Municipal Clerk