

CINNAMINSON TOWNSHIP COMMITTEE

August 3, 2017

The Regular Meeting of the Township Committee was called to order by Mayor Minniti at 6:00 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ 08077. Mayor Minniti announces that 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. McCarthy, Mr. Young, Mayor Minniti, Also present: Michael P. King, Administrator, John Gillespie, Solicitor, Michael Minton, Economic Development Director

Mayor Minniti opens the meeting with the Pledge of Allegiance.

New Business

Swearing in of new police officers – Reverend Doll gives blessing for promoted officers. Director King calls up Sgt. Richard Calabrese to be promoted to Lieutenant. Sgt. Calabrese's bio is given by Mr. McCarthy. Mayor Minniti swears in Lt. Richard Calabrese.

Lt. Calabrese thanks Township Committee for their support, all of the members of the Cinnaminson Police Dept. and Director King for this opportunity. States that he will embrace this opportunity. To his fellow officers he commits to do his best and lead by example. Thanks his wife for her unwavering support and love.

Director King calls to the podium Officers Roy Wagner, Michael Czarzasty, Thomas Lilligore and Dennis Vittese to be promoted to Sergeant. Mr. McCarthy reads bio of each officer. Mayor Minniti swears in Sgt. Roy Wagner, Sgt. Michael Czarzasty, Sgt. Thomas Lilligore and Sgt. Dennis Vittese.

Sgt. Lilligore makes a statement on behalf of the promoted officers. He thanks Reverend Doll for blessing the ceremony and spiritually supporting the Cinnaminson Police Dept. He then thanks the Township Committee members that voted to support Director King's leadership initiatives. He also thanks Director King for the betterment of the department in our service to the Cinnaminson residents. During Director King's tenure he has made many strides to build strong relationships with the citizens and in community policing initiatives.

Mr. McCarthy introduces new recruit Richard Deiss (not in attendance). Mr. McCarthy reads bio of Recruit Deiss.

Mayor Minniti congratulates the new lieutenant and sergeants. Also congratulates Director King.

Director King invites family members in attendance for swearing in to leave at this time if they wish.

Pieces Left Behind 5K Walk/Run Fundraiser for Oct 14, 2017 – Director King states that this request came to his office, he then forwarded to all of committee. He also sent links to the organizations website. Cautions committee that whatever they decide, this will set a precedent going forward.

Mr. McCarthy asks if this is at Memorial Park. Director King confirms. Mayor Minniti comments that he has concerns about such things as crowd control, set up, clean up, facilities and setting a precedent. Once approved it becomes difficult to turn down in the future. His preference is that we not accept without a detailed list of specifications, what the requirements are. He does not believe the park ordinance clarifies the requirements enough. Mayor Minniti asks Director King if there is currently anything in place. Director King states that there is not. Clarifies that we are not saying Pieces Left Behind is not a worthwhile organization. Mr. Brauckmann comments that in previous years, when requests came in, they were reviewed, Director King met with the organizations. It is his understanding that there is nothing in place with the new park ordinance other than the twenty-five percent fee. He is hesitant to waive that because there are demands on the parks. We do not have any kind of checklist. He believes that the Director knows what kinds of questions to ask. Mr. Brauckmann asks Director King if he knows how many people they are expecting. Director King says that this is their first event, so they do not have any idea of how many people they will have. Mr. McCarthy asks if the amount can be limited. Mayor Minniti clarifies that fundraising is prohibited in the parks. We permit our sports team to do fundraising in the general area of the concession facilities. That is where the twenty-five percent kicks in, as an in-kind contribution for recognized sports organizations only. Mr. Young has concerns that since we are Green Acres, once we start to permit it, we have a problem across the board. It is determined that requirements must be codified by ordinance. Director King recommends that the same subcommittee that worked on the Parks and Recreation ordinance reconvene with Mr. Morris. Mr. Gillespie comments that it is important that you also confirm that Green Acres requirements are being met.

Committee confirms that although we believe it is a worthy cause, permission is denied to Pieces Left Behind for use of the park. Motion to deny request and direct subcommittee to amend the ordinance made by Mr. Brauckmann, seconded by Mr. Young. Voice vote. All aye, no opposed. Motion is approved.

Authorization to sign Addendum to Agreement – Burlington County Energy Aggregation Program – Mayor Minniti reviews the Township’s Energy Aggregation Program. This is to renew the agreement for another year. This next year will guarantee a 3% savings over PSE&G no matter what the scenario. Residents do not have to opt out again. If they had opted out at the beginning of the program, they are not opted back in. Mr. Young comments that every resident has a right to opt in and opt out. The 3% guarantee gives everyone a strong level of comfort. This also protects the residents that are in the program. Mr. Brauckmann states that he has had a complaint from a resident regarding the program. Mr. Brauckmann reviews the issues that the resident had with higher rates and being removed from the equal payment plan. Even though he opted out there was still a penalty. Mr. Young responds that they are still making adjustments

and that the resident should speak to Lisa Hibbs from Commercial Utilities Consultant who is running the program. He is not sure how the equalization program is affected with this program.

Motion to approve addendum to BCEAP Agreement made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Motion is approved.

Old Business

Relay for Life – Director King states that this is on the agenda for clarification as to whether the Township is collecting the monies and is this a Township sponsored event. Mayor Minniti states that he received a packet from Relay for Life with a Mayors’ challenge category and approached Officer Czarzasty about making this a Township sponsored event. They thought it would be a good idea to give everyone an opportunity to participate and support cancer research. It’s a Township event being done through the Police Department as part of community policing and with the school district. Mr. Brauckmann states that there were some concerns expressed to him. This event came along quickly. There was fundraising for this during movie night. Other groups questioned why it was allowed. At the time he was not sure if it was a police department or township sponsored event. Mayor Minniti responds that a township organization can fundraise. This is a community policing event. Mr. Young suggests suspending the activity at movie night until this is resolved. Director King says that there was a very quick turnaround for this event which is why Office Czarzasty started so quickly with the fundraising. The Fire District also has their Paint the Town Pink fundraiser. Mayor Minniti suggests that the resolution for Relay for Life be approved which will set the stage for Director King to justify allowing municipal facilities to be used for the Fire District.

Motion to add Resolution 2017-98 authorizing Relay for Life to be a Township sponsored event to the agenda made by Mr. Young, seconded by Mayor Minniti. Voice vote. Mr. McCarthy, aye; Mr. Young, aye; Mayor Minniti, aye. Mr. Brauckmann, nay. Comments strictly because he feels it should be a fundraiser that specifically benefits township residents. Motion to add to agenda is approved.

Motion to approve Resolution 2017-98 made by Mr. Young, seconded by Mayor Minniti. Voice vote. Mr. McCarthy, aye; Mr. Young, aye; Mayor Minniti, aye, Mr. Brauckmann nay. Motion passes.

Hunter’s Heroes – Mr. Brauckmann states that this was requested to be on agenda for open fairness. Claire Hunter will most likely comment during Public Comment.

Christmas Tree / Menorah Lighting – Office Czarzasty presents to committee his ideas for the annual Christmas Tree Lighting ceremony and what the expenses would be. Director King says that Mr. Brauckmann and Mr. Evans had asked him whether adding the menorah created an issue with separation of church and state. Director King forwarded this to the solicitor. Mr. Gillespie responds that there is case law that Christmas trees and Menorahs are sufficiently non-religious enough to allow them both to be undertaken by a public entity without violating the separation of church and state. Mr. Brauckmann comments regarding the separation of events. He is for

improvements being made, they could have always been made. Mr. Young comments that some of the cost savings are what was done in the past, that we've gotten away from that. Mr. Young reviews expenses from past years' events. Regarding the lighting of the Menorah is at the same time as the Christmas tree lighting. Mr. Brauckmann spoke to Temple Sinai. They would like to be included and advised Mr. Brauckmann regarding the timing of the lighting and what they feel is the correct way to light the Menorah.

Motion to authorize Officer Czarzasty to run the Christmas Tree / Menorah lighting event made by Mr. McCarthy, seconded by Mr. Young. Voice vote. Mr. McCarthy aye, Mr. Young aye, Mayor Minniti aye, Mr. Brauckmann nay. Motion passes.

Public Comments on Consent Agenda Items only – None

Director King states that this is protocol once he has been notified by the Cinnaminson Police Association. The contract expires at the end of 2017. Mr. McCarthy suggests that Mr. Young be included on the subcommittee. Mr. Young states that he will.

Consent Agenda

Authorization to begin contract negotiations Police Department

End of Consent Agenda

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

Minutes – Motion to approve minutes of July 17, 2017 made by Mr. Brauckmann, seconded by Mr. Young. Voice vote. All aye, no opposed. Minutes are approved.

Bill List

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

Public Comment

Barbara Wright Napier, 4 Exeter Place – Asks for confirmation that no one is opted back into the Burlington County Aggregation Program automatically. Mr. Young confirms that she is correct. Also states that it is hard to hear the solicitor. Cautions against having to have Township fundraisers.

Roger Hare, 2603 Yellowstone Rd – Comments about the Energy Aggregation Program and that he does understand how it works and what his issues were with the program. Mr. Young suggests reaching out to Lisa Hibbs for assistance and clarification.

Janice Smith, 109 Purnell St. – Questions if the tree lighting is a township event and why it was taken from Parks and Recreation. Mayor Minniti responds that they are township events. Mr.

Young clarifies that Mr. Brauckmann will still be the Parks and Rec liaison, just working with Officer Czarzasty.

Barbara Wright Napier, 4 Exeter Pl. – She thought that the purpose of this meeting was supposed to be about Colonial Square. Mayor Minniti states that this is a work session meeting. Colonial Square will be discussed in closed session.

Claire Hunter, 822 Meeting House Rd. – She is the head of Hunter’s Heroes Foundation. Asks how she can get recognition from the Township for her organization. Mayor Minniti suggests that she partner with the Fire District or the Police Department. Director King believes that the ordinance will address some of her issues and invites her to contact him so that they can sit down and discuss. We can put information on the township website and Facebook page. Mr. McCarthy suggests putting links to these types of organizations on the Township Facebook page.

Roger Hare, 2603 Yellowstone Rd. – Asks for clarification on whether Relay for Life is a township sponsored event based on resolution adopted this evening.

Janice Smith, 109 Purnell Ave – Still has questions on how Relay for Life was chosen to be a township sponsored event. Comments about Parks and Rec ordinance and why can’t certain sections be eliminated. Mayor Minniti suggests that she contact the administrator.

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

Comments from Committee

Mr. McCarthy comments that we need to look into the issue of use of the parks by fundraising organizations and make it right and clearer.

Mr. Gillespie advises that there is a resolution to amend Resolution 2017-96 which refers to the Planning Board the determination of whether or not certain areas meet the criteria to be constituted an area in need of redevelopment. The Planner advises that there are 2 additional lots that should be included to be investigated. Mr. Gillespie asks committee to add this resolution to the agenda. Mr. Young asks if these are contiguous lots. Mr. Gillespie confirms that they are.

Motion to add Resolution 2017-99 to the agenda made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Motion is approved. Motion to approve Resolution 2017-99 made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. Resolution is approved.

Closed Session

Motion to go into closed session to discuss negotiations on redevelopment matters made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Motion is approved. Formal action may be taken.

Motion to return to open session made by Mr. Young, seconded by Mr. McCarthy.

Motion to authorize Director King, Mr. Minton and Mr. Gillespie to draft RFP's for appraisals relating to the Lidl, Friendly's and Azalea Farm issues made by Mr. McCarthy, seconded by Mr. Young. Voice vote. All aye, no opposed. Motion is approved.

Mr. Gillespie requests a motion to add Resolution 2017-101 appointing Special Counsel to advise the governing body with regards to certain findings, conclusions and observations made by Labor Counsel in the course of the referral that was made to him on March 6, 2017 with the understanding that special counsel will be given the report and any other documents they may deem necessary. Special Counsel is Lou Garty. The CFO has indicated that there are funds available to award this contract with a cap of \$10,000 and an hourly rate between \$200 and \$225.

Motion to add to the agenda made by Mr. Young, seconded by Mr. McCarthy. Voice vote. Mr. McCarthy, aye; Mr. Young, aye; Mayor Minniti, aye. Mr. Brauckmann recuses himself. Motion passes.

Motion to adopt Resolution 2017-101 appointing Lou Garty as Special Counsel made by Mr. Young, seconded by Mr. McCarthy. Voice vote. Mr. McCarthy, aye; Mr. Young, aye; Mayor Minniti, aye. Mr. Brauckmann recuses himself. Motion passes.

Motion to not have special report distributed to committee members till such time as newly appointed counsel can review and advise made by Mr. Young, seconded by Mr. McCarthy. Voice vote. Mr. McCarthy, aye; Mr. Young, aye; Mayor Minniti, aye. Mr. Brauckmann recuses himself. Motion passes.

Motion to adjourn made by Mr. McCarthy, seconded by Mr. Young. Voice vote. All aye, no opposed. Motion is approved.

8:55 pm

Duly passed and adopted:

Respectfully submitted

Lisa A. Passione, RMC
Municipal Clerk