

CINNAMINSON TOWNSHIP COMMITTEE

December 17, 2018

Mayor Brauckmann announces that the Regular Meeting of the Township Committee is being held at 7:35 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 5, 2018.

In attendance: Mr. Horner, Mrs. Kravil, Mr. McGill, Mr. Segrest, Mayor Brauckmann. Also present: Eric Schubiger, Administrator; Julia Edmondson, CFO; William Burns, Solicitor; Michael Minton, Director of Economic Development

Mayor Brauckmann opens the meeting with the Pledge of Allegiance.

Mayor Brauckmann presents Proclamation to Patricia Hafner for her 31 years of service as Secretary to Parks and Recreation Commission

Liaison Reports

Parks and Recreation– Mr. Brauckmann

There have been some updates to our parks in the last few months. The Ravenswood Park resurfacing project is complete including installation of the pickle ball lines. So they are a combination of a tennis court with pickle ball lines in the seams. We wanted to be sure to also maintain our tennis courts and to gauge whether or not pickle ball is something that is going to be successful in our town. If there is a demand you could possibly see more courts. They are complete and ready to be used. The fencing will be replaced in the next month or two, weather permitting. It will be black vinyl coated fence. Part of this is on the agenda this evening. The playground is nearly complete. It will all be done by springtime when the parks will be ready to be used. There is also something on the agenda for Memorial Park to replace the backstop and dugout fencing on Field 1. This is a capital improvement that we do to all of our parks. At Wood Park we have everything set up for the holiday lighting, which was this evening, for the Christmas tree and menorah lighting. That's all I have.

Economic Development and Finance – Mr. Horner

The CFO and staff have begun modeling our capital and operating budget for 2019. As far as economic development is concerned the projects that we've spoken about throughout the year are moving forward with the exception of Burger King. We have had some issues with the developer. There was a death in the family and the executor of the estate is trying to move forward with the project, but we are still trying to work out those logistics as well. Also if anybody has noticed the project has stopped, this is the explanation for that.

This concludes my report.

Administration and Health & Senior Services – Mrs. Kravil

In regards to administration, the administrator is working on launching a monthly online newsletter which will provide residents with pertinent information and reminders regarding Cinnaminson Township and surrounding areas. Residents should start seeing this newsletter in the new year. The township administrator and chief financial officer have begun meeting with department heads to begin discussing the 2019 budget requests. Although the annual budget is typically adopted in May, the budget process is a year round process which includes preparation, adaption and continual evaluation. As a municipal budget provides the framework for establishing the annual long term goals for our township we view it as a critical component of our planning initiatives.

There have been coordinated bimonthly department head meetings in an effort to maintain communication among the various township departments. This is becoming a valued practice to make sure the employees are working together to address the needs of our community.

In regards to health and senior services, tomorrow night is the annual Senior Citizen Holiday dinner at the middle school. The Township sent out approximately 470 invitations and received rsvp's accepting the invitation from 155 individuals. We are looking forward to this long standing community activity and we would like to thank Officer Czarzasty for coordinating this event.

This concludes my report.

Public Works – Mr. Segrest

Activities since the November committee meeting – leaf pickup has occupied most of the crew's days. Todd Day informed me that there were three crews even working on the weekend, even the Thanksgiving Day weekend. Maintenance of the parks including preparation of Memorial Park for the Thanksgiving Day soccer tournament. The crew did a great job but Mother Nature did not cooperate and the second day was rained out. The crew also decorated for the holidays at Wood Park. As always the daily recycling hours are from 7:30 am to 12:00 pm. DPW will be collecting electronics, TVs, microwaves, tires, unused paint, leaves and brush.

This concludes my report Mr. Mayor.

Public Safety and Veterans Affairs – Mr. McGill

Since the last meeting in November the police department has had total incidents responded was 1052, total arrests were 49, total quit calls were 897, total motor vehicle stops were 218, total motor vehicle summonses were 180 and 1 DWI arrest.

This concludes my report.

DISCUSSION ITEMS

Cinnaminson Running Club, Rich Wojnar has requested to be considered a Cinnaminson Recognized Sports Organization. It was the direction of the Parks and Recreation committee to recognize that group as a recognized sports organization. Mr. Segrest asks if there are other races besides for the weekly running. Mr. Wojnar explains that the group does up to 3 training sessions per week. They look for local races that encompass all of the age groups from kindergarten through eighth grade. Mayor Brauckmann explains that being an RSO (Recognized Sports Organization) would allow him to be posted on our website. Mayor Brauckmann asks if any committee members are opposed. Committee authorizes Cinnaminson Running to be a recognized sports organization.

“No Knock” Ordinance – Mayor Brauckmann presents to committee for discussion the possibility of authorizing a “No Knock” ordinance. Right now solicitors do have to register with our police department. Committee members agree that this is something they will look at next year.

ORDINANCES PUBLIC HEARING:

Ordinance 2018-18 Amending Chapter 525 (“Zoning”) of the Code of the Township of Cinnaminson Creating Section 164 to Prohibit the Operation of Marijuana Retailers.

Mayor Brauckmann states that based on recent updates and that the State cannot come to an agreement to finalize the details of this law, committee has decided to table this ordinance.

Committee will not be taking any action on this ordinance this evening although committee is interested in feedback from the public. Without question the potential legalization of marijuana has received much attention both locally and throughout the State. Committee believes that while controversial they believed that introducing this ordinance was a symbol of good and responsive government. One important point to clarify is that the current ordinance only addresses the retail sales of marijuana. The cultivation and manufacturing of marijuana are two other very important aspects of this issue that we will continue to examine and are seriously considering. All current committee members are also supportive of the medical use of marijuana. Never the less this governing body universally agreed that introducing this ordinance would create dialogue with our residents. In addition, the month between introduction and this public hearing provided us with sufficient time to listen to our residents and to further examine the issue before taking any formal action. In addition, the Mayor and Administrator met with Troy Singleton who shared his perspective on the matter. Senator Singleton made it clear that although much progress has been made there is still a number of provisions which our legislators continue to work on. Mayor Brauckmann thanks Senator Singleton for his help and leadership with this issue. Mayor Brauckmann asks for motion to open for public comment. Mr. Segrest makes a motion to open public comment, seconded by Mr. Horner. Voice Vote. All ayes.

Lisa Killian Smith, 1202 Highland Ave. – Believes marijuana helps people with disabilities to remain independent. She is happy that it is tabled; also supports medical marijuana. She thinks a dispensary would be a positive addition to the community.

Bonnie Weiskittel, 806 Heritage Rd. Asks if Cinnaminson will have a marijuana farm. She is a retired educator and is concerned that if growing is allowed, how do we teach our children that pot is not good.

Lou Fedel, 1013 Thomas Ave – He deals with cancer patients. He is glad they are looking at the science. Grow facilities have so much regulation, probably most regulated. He sees this as a positive; thinks will see boost in retail. Thanks members. If done properly no down side. Consider all aspects of legalization.

Hue Giordano, Union representative from Food Workers Union also cannabis workers - Glad this matter is tabled. Retail is an important part of chain. Reviews benefits to union workers. Opportunity to women 63% involved in management. In favor of retail. Suggests visiting a dispensary. Believes it will create good union wages. Very skilled craft. Hopes committee will support medical and/or adult use facilities.

Laurie Martinez – She is a previous resident and a medical cannabis patient for four years. Retail would help bring cost down

Harvey Weiskittel, 806 Heritage Rd. - CBD oil is probably not a bad thing. Thinks medical marijuana is okay. He is not in favor of it. Medical marijuana should be done through a pharmacy.

Devon Kuser, 241 Wedgewood Drive – He is a social worker in Cherry Hill and works with clients who have psychotic disorders. He supports medical use that is controlled.

Chief Master Sgt. Steve Agnew – He has Crohn's disease. Studies show that THC can put Crohn's in remission. He has looked at Colorado. He believes more info is needed and that there needs to be a ballot. He supports the issue.

Bob Rayca, 119 Beechtree Drive - Question is retail sales? Feels that we need to look at other legal licensing. He is opposed to it.

Pat Hadley, 106 Mt. Vernon Drive - Urges Township Committee to look at studies.

John Lodise, 1305 Coles Lane –He is concerned that it appears that committee voted prematurely, that Committee did not canvas residents obviously. Mayor Brauckmann explains that they only voted to introduce the ordinance to begin the dialogue.

Roger Hare, 2603 Yellowstone Rd – He is indifferent to this issue. There have been plenty of laws that the State has taken back. The same thing could happen with this issue.

Marie Birbeck 2519 Chestnut Hill Drive – She is not opposed to having retail. She believes that the Township may be missing an opportunity.

Tammy Bobrin, 3109 Sheffield Drive – She is in support of issue and retail sales. Her husband is a prescribing doctor for medical marijuana.

Mayor Brauckmann asks for motion to close public comment on Ordinance 2018-18. MOTION MADE BY MR. SEGREST, seconded by Mrs. Kravil. Voice vote. All aye. Public comment is closes.

Comments from Committee on Ordinance 2018-18

Mayor Brauckmann comments regarding requests to put this on a ballot. When it passes there will be a small window of opportunity to vote on this. This law may pass early in 2019 so there is no opportunity to get this out for a referendum, which also costs money. Also once this does pass if you do not act within that window you may not be able to change that for five years. We will have continued dialogue in January and February. There will also be a process for a medical marijuana dispensary. We are also looking at grow facilities. We are still learning about this issue.

Mr. Segrest believes that this is good information. He thinks that all of these things that were brought up are very valid points. We need more time.

Mrs. Kravil states that in light of the decision to table this matter she would suggest a subcommittee to study this matter consisting of two committee members, members of our professional staff and several community members so that we can consider to examine this issue. The subcommittee will report back to committee and update information and recommendations. She knows there are a number of residents who would like to share their knowledge. Asks anyone that is interested in participating to contact the municipal clerk and provide contact information by January 11.

Committee authorizes the formation of the subcommittee. Mrs. Kravil and Mr. McGill to chair this committee.

Mr. McGill thanks the residents for coming out this evening. They are interested in hearing from the residents.

Mr. Horner echoes the same sentiments. He reiterates that he does not believe anyone on this committee has questioned the validity of medicinal marijuana. This ordinance was strictly looking at retail only. We have to consider all facets of this including how it impacts our current business owners and potential businesses that may want to come to Cinnaminson.

MAYOR BRAUCKMANN MAKES A MOTION TO TABLE ORDINANCE 2018-8, seconded by Mr. McGill. Voice vote. All ayes. Ordinance 2018-8 is tabled.

Public Hearing on Ordinance 2018-17 Amending Salary Ordinance for Class II Police Officers, Class III Police Officers and Chief of Police. Mayor Brauckmann explains that this is for the Police Chief position and the rates for the School Resource Officers and SLEO Officers which is a part time position Mayor Brauckmann asks for a motion to open for public comment. Motion made by Mr. McGill, seconded by Mrs. Kravil.

Seeing no one come forward, Mayor Brauckmann closes the public portion of the hearing. Hearing no comments from committee, MOTION TO APPROVE ORDINANCE 2018-17 MADE BY MR. MCGILL, seconded by Mayor Brauckmann. Voice vote. All ayes. Ordinance is adopted.

ORDINANCE 2018 – 17

**ORDINANCE AMENDING
CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF CINNAMINSON
ENTITLED SALARIES AND COMPENSATION “THE SALARY ORDINANCE”**

WHEREAS, the enactment of Ordinance 2006-12, amended the Code of the Township of Cinnaminson and re-codified same as Chapter 108; Section I, Part III; and

WHEREAS, this Ordinance specifically further amends Sections B, C, D, and G of Chapter 108.

BE IT ORDAINED, by the Township Committee of the Township of Cinnaminson, County of Burlington and State of New Jersey, as follows:

Salary Schedules are hereby amended and supplemented to read as follows:

<u>POSITION</u>	<u>ANNUAL SALARY or SALARY RANGE</u>
C. Management:	
Chief of Police	
Minimum	\$146,000
Maximum	\$161,000

D. Part Time Employees:

Special Law Enforcement Officer Class III	\$ 43,440
Special Law Enforcement Officer Class II	\$20-\$25/HR

SECTION II: TITLE OF ORDINANCE

This Ordinance shall be cited as the "Cinnaminson Township Salary Ordinance."

SECTION III: MERIT INCREASES AND SALARY RETROACTIVE

All salaries established by this Ordinance shall have effect retroactive to January 1, 2018 and shall apply to those in the Township employ when adopted.

SECTION III: REPEALER WHEN EFFECTIVE

All Ordinance or parts of Ordinance inconsistent with this Ordinance are hereby repealed and this Ordinance shall take effect immediately upon its proper publication after final passage as required by law,

except for those positions of managerial, executive, or confidential nature, the effective date for which shall be governed by the provisions of NJSA 40A:9-165 which requires a 20-day estoppel period after publication of final passage.

Public Hearing on Ordinance 2018-19 Authorizing the Adoption of a Redevelopment Plan for Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1, also known as the Lidl site. Mayor Brauckmann asks Mr. Minton to give explanation of ordinance. Mr. Minton explains that this is for the 10 acres formerly known as the Garden State Inn. The Township is currently the property owner in anticipation of it being purchased by the grocery chain Lidl. We have been under an agreement for nearly two years. The Friendly's site will not change. Planning Board states that this is not inconsistent with the Master Plan. If approved the application will go to the Planning Board in January or February. MR. HORNER MOTIONS TO OPEN FOR PUBLIC COMMENT, seconded by Mayor Brauckmann.

Roger Hare, 2603 Yellowstone Rd.- Asks at what point does Lidl take possession of property? Mr. Minton responds that once Lidl receives all local approvals possession occurs immediately. Department of Transportation is independent of Planning Board. It is a dual track process.

Seeing no one else come forward, Mayor Brauckmann closes the public comment portion of the hearing on Ordinance 2018-19.

Mayor Brauckmann asks for any comments from committee. Hearing none Mayor Brauckmann asks for a motion to approve Ordinance 2018-19. MOTION TO APPROVE ORDINANCE 2018-19 MADE BY MR. SEGREST, seconded by Mr. Horner. Voice vote. All ayes. Ordinance is adopted.

TOWNSHIP OF CINNAMINSON

ORDINANCE NO. 2018 - 19

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CINNAMINSON AUTHORIZING THE ADOPTION OF A REDEVELOPMENT PLAN FOR BLOCK 1304, LOTS 18, 19, 20 AND BLOCK 1305, LOT 1 PURSUANT TO N.J.S.A. 40A:12A-7

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a redevelopment project shall only be undertaken or carried out in accordance with a redevelopment plan adopted by ordinance of the municipal governing body upon its finding that the specifically delineated project area is located in an area in need of redevelopment based on the criteria set forth at N.J.S.A. 40A:12A-5; and

WHEREAS, on January 7, 2013, by way of Resolution 2013 -33, the Township Committee of the Township of Cinnaminson (the "Township") designated Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1, as so designated on the official Tax Map of the Township, as an "Area in Need of Redevelopment" in accordance with N.J.S.A. 40A:12A-5; and

WHEREAS, on January 2, 2018, by way of Resolution 2018 – 19, the Township Committee authorized the preparation of a redevelopment plan in order to facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, in accordance with the authority granted it by Resolution No. 2018 – 19 the Township has caused to be prepared by Barbara J. Fegley, AICP, PP, of Environmental Resolutions, Inc., the

“Redevelopment Plan: Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1” dated November 16, 2018 (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, the Redevelopment Plan, which is annexed hereto as **Exhibit A**, provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township’s Master Plan; and

WHEREAS, the Township Committee has determined that the Redevelopment Plan meets all applicable requirements of N.J.S.A. 40A:12A-1, et seq., and is consistent with and designed to effectuate the Township’s Master Plan; and

WHEREAS, the Township Committee has further determined that it is in the best interests of the Township to adopt the Redevelopment Plan in order to facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Township Committee referred the Redevelopment Plan to the township Planning Board for review and approval following introduction and first reading of the within Ordinance; and

WHEREAS, the Planning Board recommended adoption of the Redevelopment Plan by the Township Committee by way of Resolution No.2018-23, dated December 11, 2018, which shall be considered the report of the Planning Board to the Township Committee as required by N.J.S.A. 40A:12A-7(e).

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cinnaminson as follows:

SECTION 1. The Township Committee hereby adopts the “Redevelopment Plan: Block 1304, Lots 18, 19, 20 and Block 1305, Lot 1” dated November 16, 2018.

SECTION 2. The Township Committee declares and determines that the Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the development, redevelopment and rehabilitation of the Redevelopment Area, and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

SECTION 3. The Township Committee expressly incorporates within this Ordinance the findings of the Planning Board as set forth in Resolution No. 2018 - 23, dated December 11, 2018.

SECTION 4. The Township Committee shall have, be entitled to, and is hereby vested with all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

SECTION 5. The Redevelopment Plan shall supersede any and all other local development regulations to the extent set forth in the Redevelopment Plan and the Township Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan.

SECTION 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. In the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

SECTION 8. This Ordinance shall take effect after final adoption and publication according to law.

Public Comments on Consent Agenda items only

Cindy Pierson, N. Pompess Ave – States that she is not happy with Willingboro Animal Control. States they do not have a great response time.

Consent Agenda

Resolution 2018 – 152 Authorizing a Shared Services Agreement with the Township of Willingboro for Animal Control Services

Resolution 2018 – 153 Release of Performance Bond Cinnaminson Commercial

Resolution 2018 – 154 Award of Non-Fair and Open Contract to Security Fence for Tennis Court Fencing at Ravenswood Park

Resolution 2018 – 155 Award of Non-Fair and Open Contract to Harris Fence for Fencing and Backdrop at Memorial Park Field 1

Approval of Raffle The Rotary Club of Burlington County for March 1, 2019

Approval of Raffles Our Lady of Good Counsel for March 2, 2019

End of Consent Agenda

MOTION TO APPROVE CONSENT AGENDA MADE BY MRS. KRAVIL, seconded by Mr. McGill. Voice vote. All aye. Consent agenda is approved.

Minutes

MOTION TO APPROVE MINUTES OF DECEMBER 3, 2018 MADE BY MR. MCGILL, seconded by Mayor Brauckmann. Voice vote. All ayes. Mr. Segrest abstains. Minutes are approved.

Mayor Brauckmann requests that the Clerk revise the minutes of Dec 3, 2018 Closed to be more descriptive. MAYOR BRAUCKMANN MAKES A MOTION TO TABLE APPROVAL OF MINUTES FROM DECEMBER 3, 2018 CLOSED, seconded by Mr. McGill. Voice vote. All ayes.

Bill List

MOTION TO APPROVE BILL LIST MADE BY MR. MCGILL, seconded by Mrs. Kravil. Voice vote. All aye. Bill list is approved.

Comments from Staff and Professionals

Mr. Schubiger states that he is glad that Committee approached this the way they did and allowed our residents to provide feedback.

Comments from the Public

Bruce Burin, 523 Kern St. with Steve Mullen on behalf of his daughter at 557 Inman St. – There is a problem with flooding on Inman St. They have reported this to John Marshall. The same problem occurred on Kern and the Township installed a trench that resident's pumps went into which solved the problem. They are asking for the Township to look into this problem and do what is necessary to resolve it.

Mayor Brauckmann advises that he will have this looked into.

Herbert Riley, 1203 Delaware Ave (between N. Randolph and N. Pompess) – Also has flooding issues which have gotten noticeably worse over the last few years. Believes this is due to the storm water drain that was installed in 2016. He is requesting that a member of committee meet with him and his neighbors to review these issues.

Mr. Horner responds that he believes the administrator has been looking into this for about a week. He requests that Mr. Schubiger continue to work with the residents. Mr. Schubiger confirms that he has spoken to the Township engineer, will do a site visit and will work with consulting engineer if necessary and will report back to Mr. Riley and committee.

Seeing no one come forward, Mayor Brauckmann closes the public comment portion of the meeting

Comments from Committee

Mrs. Kravil thanks Mayor Brauckmann for his years of service. Also thanks all committee members for their hard work. She also thanks the residents and wishes everyone a happy and healthy New Year.

Mr. McGill states to Mayor Brauckmann that it has been an honor to serve alongside of him.

Mayor Brauckmann states it has been a privilege to serve. He is thankful to our residents. He will give his farewell speech at the reorganization meeting.

MOTION TO ADJOURN MADE BY MRS. KRAVIL, seconded by Mr. McGill. Voice vote. All aye. Meeting is adjourned.

8:31 pm

Duly passed and adopted:

Respectfully Submitted

Lisa A. Passione, RMC
Municipal Clerk