

CALL TO ORDER

Mayor Jackson called the meeting to order at 7:30 PM and noticed that this meeting is being held in compliance with the Open Public Meeting Act with the publication of the Annual Meeting Notice on January 15, 2015, filing of the Agenda in the Office of the Township Clerk, posting the Agenda on the Bulletin Board and the Township Web site, forwarding copies to the Burlington County Times and to those who requested same. All of the above posting, filing and forwarding was completed on October 9th, 2015.

FLAG SALUTE

The Mayor led everyone in the flag salute.

Present for this meeting were Mayor Jackson, Deputy Mayor Earlen, Committeemen Mansdoerfer, Conway and Dinneen. Also present for the meeting were Township Administrator Brandon Umba, Robin Sarlo, Chief Financial Officer and Township Solicitor George Morris.

APPROVAL OF MINUTES

Regular and Executive Session September 22, 2015

On motion by Committeeman Conway, seconded by , Deputy Mayor Earlen and carried by unanimous favorable voice roll call vote, the Township Committee adopted the minutes for September 22, 2015.

RESOLUTIONS

- **2015-10-188 Resolution Authorizing a Tax Deduction for 437 Landing Street due to being a disabled person**

On motion by Committeeman Mansdoerfer, seconded by Deputy Mayor Earlen and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolutions.

- **2015-10-189 Resolution Issuing a Violation of Township Code 103-2 for 6 Abington Way**

On motion by Deputy Mayor Earlen, seconded by Committeeman Conway and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-190 Resolution Authorizing Payment for the Contract With Peterson Service Company Inc. for Certain Upgrades to the Municipal Building HVAC Controls**

On motion by Committeeman Conway, seconded by Committeeman Mansdoerfer and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-191 Resolution Authorizing the Execution of an Agreement for FY2015 Community Development Block Grant Funding for Barrier Removal: Installation of Accessible Pathways and Ramps to Provide Access to Village Green Park**

On motion by Committeeman Mansdoerfer, seconded by Committeeman Conway and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-192 Resolution Authorizing A Maintenance Bond Release Posted by Whitesell Construction Company, Block 15, Lots 6.01**

On motion by Committeeman Mansdoerfer, seconded by Deputy Mayor Earlen and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-193 Resolution Appointing An Alternate, Fill In Crossing Guard for the Lumberton Township Police Department**

On motion by Committeeman Conway, seconded by Committeeman Dinneen and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-194 Resolution Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87 – 2015 Click It or Ticket**

On motion by Committeeman Mansdoerfer, seconded by Committeeman Dinneen and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

- **2015-10-195 Resolution Authorizing the Rejection of All Bids Received for a Contract for the FEMA House Elevations Project**

On motion by Committeeman Conway, seconded by Committeeman Mansdoerfer and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution. Mr. Umba will re-advertise the bid for a 20 day period. Mr. Umba stated that the Township will be seeking a 6 month extension from its current February 2016 deadline. In addition a meeting with NJOEM was set for 9am Monday morning on October 19, 2015.

CORRESPONDENCE

No comments were made in regards to Correspondence on the agenda.

DEPARTMENT HEAD REPORTS

No comments were made in regards to Department Head Reports on the agenda.

ADMINISTRATORS REPORT

Mr. Umba respectfully submitted his written report to the Township Committee with no comments being made on the Administrator's Report.

OLD BUSINESS

Committeeman Mansdoerfer asked Mr. Umba where the Township stood with the Playground Report performed by T&M Associates. Mr. Umba stated that the Public Works Department has completed priority one items and that the Township was looking to submit for a Burlington County Park Grant program to completely revamp some of our Playgrounds. Committeeman Mansdoerfer asked where the Township stood with addressing the PEOSHA violations report for the Township Mechanics Garage. Mr. Umba stated that the Township abated all items and received a verbal approval of their abatement items, in addition to the Township submitting a written report of their abatement efforts.

Mr. Umba reported to the Township Committee that since the supplemental capital ordinance is approved, he will be able to move forward with the quote received from the Fire Department to repair its overhead door. Mr. Umba also stated that the street lining project finished under budget and he will be moving forward with adding additional street that were on the Township's secondary list to be completed.

The Township Committee turned to the topic of the Chestnut Street Ordinance that was discussed at the previous meeting. Mr. Umba stated that they're two options available to the Township as provided by Burlington County since this road was owned and maintained by the County. One option was to make Chestnut Street one way and permit parking on one side of the road or the other option would be to prohibited parking on either side of the street and maintain two way traffic on the road. Committeeman Conway confirmed with the County Engineer that these are our two options. Mayor Jackson opened the floor to the public to provide comments on this ordinance.

Wendy Donegan, 10 Chestnut Street, asked the Committee if they explored other options with the County for this road. Committeeman Conway stated that the two options were the only ones being offered by the County. Ms. Donegan said the ultimate problem on Chestnut Street is the speeding and these options do nothing to address this problem. Committeeman Conway stated that the County was concerned more with congestion on the street then the speeding. Ms. Donegan asked where the one way would begin. Mr. Umba explained that it would start at Ross Street. Ms. Donegan asked if the residents of Ross Street were notified about this change. Mr. Umba stated they received the same letter as the residents on Chestnut Street.

Joan Greenwald, 16 Chestnut Street, stated that the street cleaner, leaf collection machine, snow plowing and mailmen all can only travel currently on one side of the street because of the cars on the street. Ms. Greenwald stated that prohibiting parking on both sides of the street will solve the problem.

Dan Donegan, 10 Chestnut Street, stated that the problem is residents from both sides of the street park on the road since the ally streets cannot support the amount of cars in the

neighborhood. This is why he believes that the one way option is the better of the two. The allies do not have lighting and when cars are parked in the ally it makes it difficult for the trash truck to pick up trash.

Joan Greenwald, 16 Chestnut Street, stated that their back lots are adequate to allow parking behind their houses if resident just move make alterations.

Dan Donegan, 10 Chestnut Street, stated that curtain lots are bigger than others.

Holly Cordero, 9 Chestnut Street, stated that she likes the one way street option because she does not know where the resident will be able to park their cars if you prohibit parking on the street. She feels one way will also be better for the safety of the children on the street.

Thomas Shover, 27 Chestnut Street, stated that he feels that the two way traffic options is the best for the community and that traffic will still try to go down Landing and get caught since it will be a do not enter at Chestnut. He asked if the Township could switch to the opposite option if it finds that either way pick doesn't work after implemented. Mr. Shover was asked by Deputy Mayor Earlen if the Public Works Department would be able to pick up trash with cars parked in the ally. Mr. Shover said they can make it work.

Committeeman Dinneen asked if the children in the neighborhood walk to school. He was informed that they do and no busing is available. He stated that if the Township went with the one way option that it would in essence cut the traffic on this road in half.

Melissa Basham, 21 Chestnut Street, asked about walking to the school since her kids will be school aged soon and will she need to cross a two lane road with her kids since they only have sidewalks on one side. She asked if the need for a crossing guard could be addressed. The Township Committee said they would address that with the Police Chief.

Dr. Greg O'Brien, 26 Chestnut Street, stated that he had heard this topic was raised over 20 years ago and the County backed down on its demands. He asked if anyone on the Township Committee knew about if that was true and if it was an option. Dr. O'Brien addressed several items that he brought up at the previous meeting. He asked if they could place an additional stop sign along the road. The Township Committee stated that they tried that in the past and found that it was not effective. Dr. O'Brien stated that he felt that one way north bound on Chestnut Street with a stop sign at the intersection with Ridgeway Street.

Robert Rockhill, 2 Chestnut Street, asked if the Township contacted the Post Office. The Township Committee said since a direction was not finalized and would be contacted after the ordinance change was passed.

Committeeman Mansdoerfer asked the Lumberton Township Fire Chief about his input on the options. Chief Romano stated that one way south bound is problematic and that travel one way north bound would be better.

Dr. Greg O'Brien, 26 Chestnut Street, asked if a traffic study could be performed and the Township Committee stated they could ask for it.

Theresa Tyson, 45 Chestnut Street, asked if the county could assist residents to develop parking on their property. She also asked if the speed limit that is currently posted on Chestnut Street could be lowered to 25 mph or lower.

Mayor Jackson and Committeeman Conway requested that if any residents have additional requests of the County if they could email them to Mr. Umba, the Township Administrator by Friday October 23, 2015.

Wendy Donegan, 10 Chestnut Street, requested that the Township install lighting in the ally ways and if they have adequate infrastructure with regards to storm water drainage.

Terri Shover, 27 Chestnut Street asked the Township Committee to look at the traffic light at Landing and Main Street because it does not allow for adequate movement of traffic.

Seeing no other residents coming forward, Mayor Jackson closed the public comment on this topic.

NEW BUSINESS

Committeeman Conway made the Township Committee aware of an ribbon cutting ceremony for the Solar Farm at the Landfill being performed by PSE&G and asked Mayor Jackson if he wanted to attend. Mayor Jackson stated that he would consult his schedule.

Mr. Umba presented the FY 2015/16 Best Practice Checklist. He reported that the Township answered 44 of the 50 question as yes, N/A or prospective and that we were over the 80% needed to receive 100% of our state funding for next year.

Mr. Umba requested approval of a proposal from Pennoni on a change order for the access to Rancocas Creek with regards to the Boat Ramp project. Committeeman Conway asked for a meeting with Pennoni to discuss this change order and others.

APPROVAL OF PURCHASES OVER \$5,000.00

Committeeman Mansdoerfer asked for Mr. Umba to review the Breed's contract and hold the check until we investigate the work to be performed. Mr. Umba will review the items before the check is processed. On motion by Committeeman Mansdoerfer, seconded by Committeeman Dinneen and carried by favorable voice roll call vote, with Committeeman Conway abstaining from CME and Committeeman Dinneen abstaining from Breed's Landscaping, the Township Committee approved the Over \$5,000.00 Bill List.

APPROVAL OF ENTIRE BILL LIST

On motion by Committeeman Mansdoerfer, seconded by Committeeman Dinneen and carried by favorable voice roll call vote, with Committeeman Conway abstaining from CME and Committeeman Dinneen abstaining from Breed's Landscaping; the Township Committee approved the Entire Bill.

COMMENTS FROM THE PUBLIC

Barb Tait, 21 Millway Road, asked if the Township Committee was aware that Legacy Treatment Services just bought a property for a group home on Creek Road. She stated that she spoke with Kevin Kelly, VP of Adolescent of Legacy Treatment, on what services they are providing.

Anshall Boggs, 23 Millway Road, asked why the neighbors were just hearing about this issue from the Township tonight. He felt that the Township should have been more proactive in notification.

Committeeman Conway stated that "group homes" are not regulated by the Township and that currently there are 22 group homes within the Township. Committeeman Conway explained that the law allows up to 12 residents within a group home and the various statutes that govern this issue. Mr. Umba explained the Township did not hear officially about this group home until Oct. 8th 2015. That notification was by way of a letter from their professionals. Committeeman Conway then stated that if the Township does not feel that they fit the scope of a group home then an investigation could be requested by the Land Use Board.

Barb Tait, 21 Millway Road, asked if Legacy wanted to add another building to these 10 acres they own, would she be notified before the work begun. Committeeman Conway explained the laws governing municipal land use law. Mr. Umba quoted various statutes governing the implementation of group homes in New Jersey and the various communications between his office, the construction office and Legacy.

Committeeman Mansdoerfer questioned Police Chief DiLoreto as to the nature on how he is notified that a group home is moving into the Township. Chief DiLoreto explained that in some cases if they do not have a specific call at that home they would not be notified. Committeeman Mansdoerfer then asked Fire Official Bigoss what his involvement is with Group Homes. Mr. Bigoss explained that if they are occupied by 5 or less inhabitants then they fall under one criteria for NJ Fire Code, but if they exceed 5 inhabitants that triggers the need under the NJ Fire Code for the installation of sprinklers systems and other requirements. Committeeman Mansdoerfer asked if the fact that Legacy is installing the sprinklers system know they are not required since they are 5 or less inhabitants, if that concerns anyone. Fire Official Bigoss stated that he would need to do an annual review of the property to ensure they are complainant with NJ Fire Code regulations.

Anshall Boggs, 23 Millway Road, asked the Township Committee if this facility could be classified as institution. Committeeman Conway stated that if they went over 12 inhabitants, then they would not fit the classification of a group home and various Municipal Land Use laws

would take effect. Mr. Boggs then asked about the nature of why those inhabitants are being admitted to this group home. Mr. Umba explained that those inhabitants who have been convicted and require notification to surrounding neighbors due to that conviction, that no notice is given to the residents regarding the reason why these inhabitants are in the group home. Mr. Umba also stated the statute that governs what type of disabilities can be serviced in a group home. Committeeman Dinneen stated to the residents that while the Township can notice residents that they are entertaining traffic changes to our streets, we cannot legally notice the residents if we learn of a group home moving into the Township. Mr. Boggs requested that what the next steps were on this issue. Committeeman Conway stated that the Zoning Officer would need to determine if an investigation into their scope of services and if not clear answer was given that Legacy would need to go before the Land Use Board to ensure they fit the criteria of a group home.

Phil Patragoni 7 Wagon Road, does the Township Police Department have data related to the call volume at the existing 22 group homes that are already in operation throughout Lumberton. Chief DiLoreto explained that he does not have those figures readily available but they could be requested through a OPRA request to the Township. Mr. asked what type of limitation to if they want to add additional buildings. Deputy Mayor Earlen, stated that depending on what they would be doing to the property, they would need to come before the Land Development Board if their plans did not conform to the requirements under the R-5 zoning distinction.

Wesley Chodos, 16 Sunflower Circle, expressed his concerns about the cutting down of a number of trees on this property and what type of crime these residents will bring to the neighborhood. Committeeman Mansdoerfer stated that the police department does a good job of protecting the community and that the Township has no evidence to indicate that the addition of this group home would cause an increase in crime in the neighborhood.

Anshall Boggs, 23 Millway Road, there is no way to know the criminal history of the residents in these group homes. Mr. Umba explains the type of notice that would be sent if the residents were convicted of offences that required public notices. Mr. Umba explained that if the residents were not convicted of those offenses then the Township would not be permitted to request the criminal history of those residents. Mr. Boggs asked if a small meeting occurred between the residents and Legacy, if the Township would send a representative. The Township Committee advised that they would determine who would attend in any once they knew the nature of the meeting.

Mike Davis, 10 Sunflower Court, stated that he felt that this house seem to be different from the other 22 group homes within Lumberton because it is to be a lock down facility. Mr. Umba stated that the Township had not been informed that it is a lock down facility, but a delayed egress residence.

Laurie Seator, 8 Sunflower Court, requested a copy of the letters that were received by the Township. Mr. Umba stated that the letters received by the Township from Legacy Architect were provided in the agenda packet.

Thomas Shover, 27 Chestnut Street, stated that he felt that this issue is being view as a negative but the Township does not know that much information for us to have that view point. He stated that Lumberton has a good Police Department and we have 22 group homes already that none of the residents knew about before this meeting.

Barb Tait, 21 Millway Road, stated that she had a good conversation with Mr. Kelly from Legacy and he told her it would be an Intense Residential Treatment Facility and that they are going to be installing a fence. Mr. Umba stated that this fact has not been officially given to the Township. Committeeman Conway stated that the fence could be installed weather it was requested by the group home or a residential home owner as long as it fits our zoning laws.

Lorraine Snijders, 421 Maple Grove Blvd, stated to the Township Committee that she is an election poll worker and that she is displeased with the treatment poll workers receive at the Township's schools because the room they are in is always cold and they make all the poll workers, some of who are elderly walk outside of the building, and reenter at the main office just to use the schools facilities. Ms. stated that the principal of the school said he makes the poll workers do this for the safety of the children. The Township Committee stated that this issue would need to be addressed with the School Board but they would reach out to the Superintendent to see what they could do about this issue.

Seeing no other public comment Mayor Jackson closed the public portion of the meeting.

COMMENTS FROM THE COMMITTEE

Committeeman Mansdoerfer made the public aware that this coming Friday evening, October 16, 2015 the Lumberton Fire Department would be holding its annual Fire Prevention night at the Lowe's Parking Lot.

Mayor Jackson stated that the Fire Department was able to run a very successful Golf Outing Fundraiser and he thanked all who attended.

Deputy Mayor Earlen reminded the public that during the evening of October 14, 2015 the Lumberton Township School district will be holding its second meeting on its 5 year strategic plan at the Performing Art Center.

Mayor Jackson reminded the public of the Historical Society will be holding their soup and used book sale this coming Saturday October 17, 2015.

Deputy Mayor Earlen asked if any member of the public wants to attend a fundraiser for the Lumberton Youth Associations, they can attend the Golf Outing this weekend on October 17, 2015.

CAUCUS AGENDA

Next Meeting October 27, 2015

EXECUTIVE SESSION

Resolution 2015-10-196 A Resolution Authorizing Executive Session Pursuant to NJSA 10:4-12 to Discuss Matters Relating to **Litigation**, Schmidt vs. Lumberton Township and potential litigation, **Personnel**, deliberation on Employee Loudermill Hearing, **Negotiations**, EMS Services Contract & the **Attorney-Client Privilege**.

On motion by Committeeman Conway, seconded by Committeeman Dinneen and carried by unanimous favorable voice roll call vote, the Township Committee adopted Resolution 2015-10-196 to convene in Executive Session at 9:37 pm.

RETURN TO PUBLIC

The Committee returned to Public at 11:50pm

- **2015-10-195 Resolution Terminating Kittina Wallrath as Full Time Financial Assistant for the Township of Lumberton and Authorizing Advertising for a Replacement**

On motion by Committeeman Dinneen, seconded by Committeeman Conway and carried by unanimous favorable voice roll call vote, the Township Committee adopted the above Resolution.

ADJOURNMENT

Being no further business to come before the Township Committee, the Meeting was adjourned at 11:54pm on motion by Committeeman Conway, seconded by Committeeman Dinneen and carried by unanimous favorable voice vote.

Respectfully submitted,



Brandon E. Umba
Township Administrator/Deputy Municipal Clerk