

**WORK SESSION
MUNICIPAL BUILDING**

**August 28, 2018
DELRAN, NJ**

Sunshine Statement: Be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice advertised in the Burlington County Times and Camden Courier Post on January 16, 2018 and posted on the bulletin board on the same date.

ROLL CALL: Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone were present.

ALSO PRESENT: Mr. Paris, Mayor, Mr. Riso, Solicitor, Mr. Hatcher, Administrator and Ms. Eggers, Municipal Clerk.

JAKE'S PLACE BID REPORT

Mr. Winckowski reported that we received bids today for the Jake's Place Playground contract to build the base improvements. The playground equipment and safety surfacing will be purchased under a state contract. We only received one bid which exceeded the engineer's estimate by almost \$40,000. We feel it is a function of the current economic climate and the backlog of work for contractors. Mr. Winckowski stated that he had numerous discussions with the representatives from Jake's Place today and they are recommending that Council reject the bid and authorize re-advertise for January or February which will push the community build to the Spring.

After discussion, Council agreed to add a Resolution to the public meeting agenda to reject the bid.

QUARTERLY LOSS RATIO SNAPSHOTS

Mr. Hatcher stated that on a quarterly basis he has been updating Council on the operations of the BCJIF and MEL. The BCJIF includes twenty six municipalities in Burlington County. On a quarterly basis we review our claims report. As of June 30th our loss ratio with the BCJIF is 80.6% over the last six years; however, over the last three years it was 28.6%, 3.7% and 6.9%. With the MEL we have not had any claims in the last five years. Our 6 year cumulative ratio is 30.6%, Our six year loss ratio average with the EPL/Pol is 0%. We do not expect an increase in this area for 2019.

NJDOT FY 2019 STATE AID APPLICATIONS

Mr. Winckowski reported that grant applications are due for the 2019 State Aid programs including Municipal Aid, Safe Streets to Transit and Bikeways. Mr. Winckowski recommended we move to Conrow Road for the Municipal Aid grant, continue with bikeways on Hartford Road for the Bikeways grant and continue with pedestrian safety improvements along Route 130 for the Safe Streets to Transit grant.

After discussion Council agreed to add Resolution to a future meeting authorizing those applications.

FOOD & BEVERAGE VENDING MACHINES

Mr. Catrambone stated that it appears there are two conflicting ordinances.

Ms. Eggers stated that in researching a Food Handler over payment for Shop Rite we noticed that one fee is listed under the regulations for Food and Beverage Vending Machines and a different fee listed in the fee ordinance. We would like to amend Chapter 394 to match the fee set in the fee ordinance.

After discussion, Council agreed to place an ordinance on the public meeting agenda for first reading.

HARDSHIP WAIVER – 305 NICHOLAS DRIVE

Mr. Hatcher stated that the housing affordability service that provides the administration of our low income properties had this unit up for sale and there were no qualified buyers. The Township can purchase the property or issue a hardship waiver. The unit will remain subject to the deed restriction but it gives the property owner the ability to market the unit to non-income qualified buyers. We had issued a number of these waivers in the past.

Mrs. Kolodi made a motion to issue the hardship waiver for 305 Nicholas Drive, seconded by Mr. Burrell.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

JANITORIAL BID SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE

Mr. Hatcher reported that we are requesting authorization to go out to bid for janitorial services. We are not satisfied with the current service and both parties have agreed to terminate the current contract

Mrs. Kolodi made a motion authorizing the advertisement of bids for janitorial services, seconded by Mr. Burrell.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

2020 FREIGHTLINER BID SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE

Mr. Hatcher reported that in the 2018 capital budget Council approved the purchase for the Public Works Department. We are looking for authorization to move forward and advertise the bid.

Mr. Burrell made a motion authorizing the advertisement of bids for the purchase of two 2020 Freightliners, seconded by Mr. O'Connell.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

SEWER APPEALS

Mr. Hatcher stated that we received a sewer appeal for Block 118, Lot 4, C361 after the deadline had passed to file. The property owner had a crack in the backyard hose was cracked and leaking which was not picked up until spring of 2017. There was a significant amount of water used during the billing period. The water was not proposed through system. If Council were to make an adjustment we suggest that it be based it on the 2018 usage estimated at 5,000 per month.

After discussion, Council agreed to adjust the usage for the 2018 billing from 84,000 to 15,000 gallons. A Resolution will be on the public meeting agenda for approval.

RANCOCAS CREEK NATIONAL WATER TRAIL

This item has been removed from the agenda since it had been discussed at a previous meeting.

ST. MIHIEL DRIVE OUTFALL

Mr. Winckowski reported that a few months ago they were contact by a homeowner who brought to our attention that there is a storm sewer outfall that runs through their property. From the information provided, it appears the Township install the pipe in the late 60's. The pipe services the storm sewer system that drains the Cambridge area. There is some erosion around the outfall, where the storm sewer system discharges into Dredge Harbor and the pipe is collapsing. We are still collecting some information and developing ways to correct the issue and the estimated cost of repairs. This would be something to consider for the 2019 budget. Mr. Winckowski stated that he will keep Mayor and Council updated as they gather all the information.

REPORTS

Ms. Eggers – Ms. Eggers reported that the next Blood Drive will be held at the Township tomorrow from 1:30 - 6:30 PM. There are still nine slots available if anyone would like to schedule an appointment.

Mr. Hatcher – No report.

Mr. Winckowski – Mr. Winckowski reported that he issued a status report last Friday. The 2018 Road Program, Hartford Road and the Route 130 Sidewalk (Southbound side) projects will all be starting next week. All projects will be completed this fall.

Mrs. Kolodi asked for an updated on the Fairview Blvd. Island removal.

Mr. Winckowski stated that they are trying to meet with NJDOT in early September.

Mr. Winckowski stated that we did receive a grant for the next phase of investigation at Abrasive Alloy.

Mr. Catrambone asked what we are investigating in the next phase.

Mr. Winckowski stated that it has always been soil and ground water contamination. In this phase we are performing remedial investigation to delineate the contamination found and come up with the plan to remediate. We did meet with NJDEP to discuss the nature of the contamination and they have given the approval to demolish the building.

Mr. Riso – No report.

Mr. O'Connell – Mr. O'Connell reported that he was invited to the ribbon cutting for the new Holy Cross Preparatory Academy on Saturday. As past alumni, he is happy to see the school still open and wish them well.

Mr. O'Connell stated that he hopes everyone enjoys the Labor Day holiday and with school starting he hopes everyone would pay a little attention when driving.

Mr. Burrell – No report.

Ms. Parejo – No report.

Mrs. Kolodi – Mrs. Kolodi stated that she had a resident contact her with concerns over the timing of the light at Fairview Blvd. and Hartford Road.

Mr. Winckowski stated that the timing is okay but there is an actuation issue meaning that when there is no one at the light across from Fairview Blvd. it still turns green.

Mr. Hatcher stated that we originally reached out to the County to try and get a shared service to utilize the company they have for repairs which did not work out. We then reached out to Techno Pro and are waiting on the cost to have the sensor repaired. We do have funds in a prior capital ordinance to cover the cost.

Mrs. Kolodi stated that she will reach out to the resident and let them know.

Mr. Catrambone – Mr. Catrambone mentioned the passing of Senator McCain. He was a man that understood the art of compromise and had an incredible sense of civility and those are the kind of statesmen we need in government.

Mr. Paris – Mr. Paris gave recognition to the Police Department. We recently had an officer with an individual pulled over on Route 130 and his vehicle was stopped at an angle. He was in his vehicle when someone hit the vehicle in the rear and it was totaled. Thankfully the officer is okay.

PUBLIC PORTION

Mr. O'Connell made a motion to open the meeting to the public. The motion was seconded by Mrs. Kolodi. All were in favor, motion approved.

Daniel Rosenberg, 9 Garden Street, Mt. Holly, stated that he represents Kevin Jordan who is here tonight along with his wife. Mr. Rosenberg addressed Mayor and Council regarding some of the Facebook media that has been going on. Mr. Rosenberg stated that Mr. Jordan is a football coach and has been with the Delran AA for a number of years. There has been a Facebook campaign to have him removed as a coach. Mr. Rosenberg stated that there is an individual who would like to have Mr. Jordan removed from coaching and in an effort to do so she contacted the Delran AA. The Delran AA has decided that he can continue to coach and as a result of that there has been continued communication on Facebook and along with his client they have been ignoring them. Mr. Rosenberg stated that he saw a post from a Councilman asking for additional information and what they are here to do is provide accurate information. He would submit there is nothing for the Council to do but he is concerned about the information that Council receives. Mr. Rosenberg stated that in November of 2016 there was an allegation that has sent to the County Prosecutor's Office. They evaluated the case and determined there were no felony charges and the matter was litigated here in the Delran Municipal Court. On December 20th of 2017 the matter was dismissed without any conditions. One of the issues brought up at the hearing was whether Mr. Jordan would be allowed to continue to coach and the judge indicated that there was no prohibition to him coaching. Mr. Rosenberg stated that Mr. Jordan began coaching again and there was a campaign around Facebook indicating no only should he not be coaching but there was an allegation of an expunged record from fourteen years ago. Mr. Rosenberg stated that disclosing an expunged record is a criminal offense. Knowing that this information was disseminated to the public they went to the Delran AA Meeting and they confirmed they ran a criminal background check on Mr. Jordan and confirmed that he disclosed allegations against and even disclosed his expunged record. The Board elected for Mr. Jordan to stay on as a coach and he doesn't know what authority Council would have to overrule that decision. Mr. Rosenberg stated that to he is discouraged to see that the Council is being provided misinformation and continuing to receive misinformation. Mr. Rosenberg stated that he doesn't believe there is anything this Council can or should do. We agree that the children should be safe and there should be a criminal background check which is already done by the Delran AA. One of the issues that may be brought up is that Mr. Jordan had his teacher's license revoked. A concern could be that if he can't teach children how he can coach them. Mr. Rosenberg stated that he would submit that is an absurd argument. Mr. Rosenberg stated that an appellate decision stated that he may reapply to have his teaching credentials reinstated. Mr. Rosenberg stated that he would submit that if Mr. Jordan were to apply he would receive his teacher's license back and the reason he doesn't apply is because he doesn't need the license as he is no longer a teacher. Mr. Rosenberg stated that with information provided about a sexual predator that is simply not true. Mr. Jordan has never been charged with a sexual related crime and he is not a registered sex offender. Mr. Rosenberg stated that the complained witness was at every court proceeding including the one where the

case was dismissed. Mr. Rosenberg stated that they want all information provided to the Council to be accurate so that it is based on the facts and not allegations.

Mr. Burrell stated that his job is to work for residents no matter what their opinions are and he simply asked for the information which he forwarded to the Township Administrator and Solicitor. Under no circumstance is he advocating for one side.

Brandon Conard, 881 Faunce Street, stated that he is the other half of this issue. Mr. Conard stated that there was an incident that took place in October 2016 and there was an investigation. Whether it was done right is not his decision. He was not involved in the investigation which involved his wife, the Prosecutor's Office and the Delran Police Department. Mr. Conrad stated that Mr. Jordan was charged with harassment and offensive touching. When you put your hands on someone and touch them when they are not asking for it is not okay. For that person to be coaching and around kids is questionable. Who knows what can happen. We just wanted to bring this to Council for them to discuss.

Jessica Conard, 881 Faunce Street, stated that she is one of the victims. She has two sons that play all sports in this town. She puts her trust in the town and the association to make sure they are safe. Mrs. Conard stated that she had been friends with the Jordan's for many years through sports and she agrees he was a great coach but there was one day that something was taken from her and that is why she is here today. Mrs. Conard stated that she is not the only one but the only one to come forward. Mrs. Conrad stated that he violated people and there something needs to happen and she doesn't feel allowing him around kids is a way to solve it. She wants to make sure the kids in this town are safe.

Mr. Rosenberg stated that if the Council has any questions he would be happy to address. He can say that the some of the information in the statement by the complaining witness isn't accurate.

Mr. Riso, Township Attorney stated that this is not a tribunal and we are not here to retry the criminal matter nor are we here to retry the revocation of Mr. Jordan's teaching license. The Delran AA is a private entity and they made the decision to reinstate Mr. Jordan as a coach. In his legal opinion, this governing body does not have the right to override the decision of the Delran AA.

Mr. Paris stated that our only involvement is that we provide use of fields to the Delran AA.

Mr. Riso stated that is correct and a permit has been issued by the Township. If the Township wanted to adopt a background check ordinance for individuals that have use of the fields they could. As Mr. Rosenberg stated it appears that the Delran AA already does a criminal background check for all coaches.

Bob Kennedy, President of the Delran AA indicated that they do provide for background checks.

Mr. Catrambone stated that currently we do not have a policy that mandates a criminal background check as a requirement to receive a field use permit. Mr. Catrambone suggested that we look into adding that as a requirement.

Mr. Kennedy stated that background checks are completed for the Delran AA every two years. If anything comes up in the check they discuss it with the Police Department.

Mrs. Kolodi asked if finger printing is included as part of the background check.

Mr. Riso stated that in the towns where he has prepared ordinances it was included.

Mr. Kennedy stated that they do not include fingerprinting.

Council agreed to put discussion on a possible criminal background check ordinance at the next work session. Mr. Riso will provide a sample ordinance for the discussion.

Mr. Kennedy reported that the batting cages are finally in and they will be installing left over turf on the inside. Hopefully they will be open in the next several weeks. Mr. Kennedy stated that the brick walkway has been installed and looks nice. Mr. Kennedy stated that everyone involved in the Delran Night Out did a great job. Mr. Kennedy stated that signage is order for the last couple sponsors. He will be picking up a check from both Barlow and Shop Rite. Once they get the last few picnic tables ordered they will sit down and get the remainder of the money turned over to the Township and then start the next phase of fundraising.

Chuck Stahl, 184 Natalie Road, asked if Council skipped over the Rancocas Creek National Water Trail discussion.

Mr. Catrambone stated that Council already discussed this and adopted a Resolution of support in November of 2017.

Mr. Kennedy, President of the Delran AA stated that the AA does not take this situation lightly. We have conferred with an attorney and have taken into consideration information from both parties. Their number one concern is children safety.

Mr. Burrell made a motion to close the meeting to the public, seconded by Mrs. Kolodi. All were in favor, the motion was approved.

Mr. Burrell made a motion, seconded by Mrs. Kolodi to enter into closed session for discussion on the following issues: Negotiations – Stellwag Farms Redevelopment Agreement
Litigation – COAH Update

Mr. O'Connell made a motion to end the closed session and reopen the meeting to the public. The motion was seconded by Mrs. Kolodi. All were in favor, motion approved.

Mr. Catrambone asked Mr. Shotts, Township COAH Attorney to walk through the action items needed.

TOWNSHIP OF DELRAN RESOLUTION 2018-158

RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE EXECUTION AND ADOPTION OF THE SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN AND CHESTER AVENUE DEVELOPER, LLC

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2018-158.

There being no questions, the roll was called.

Ms. Parejo, Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-159**

**RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE EXECUTION AND
ADOPTION OF AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT BETWEEN
THE TOWNSHIP OF DELRAN AND DELRAN LAND INVESTMENTS, LLC**

Mr. O'Connell made a motion, seconded by Ms. Parejo to adopt Resolution 2018-159.

There being no questions, the roll was called.

Ms. Parejo, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Burrell voted nay.

Ayes: 4

Nays: 1

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2018-09**

AN ORDINANCE TO AMEND STELLWAG FARMS REDEVELOPMENT PLAN

Mr. O'Connell made a motion, seconded by Ms. Parejo to approve Ordinance 2018-09 on first reading.

There being no questions, the roll was called.

Ms. Parejo, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Burrell voted nay.

Ayes: 4

Nays: 1

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2018-10**

**ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING THE TOWNSHIP CODE TO
ESTABLISH A FIVE YEAR TAX EXEMPTION AND ABATEMENT PROCESS**

Mr. O'Connell made a motion, seconded by Ms. Parejo to approve Ordinance 2018-10 on first reading.

There being no questions, the roll was called.

Ms. Parejo, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Burrell voted nay.

Ayes: 4

Nays: 1

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2018-11**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN
AUTHORIZING A TAX EXEMPTION AGREEMENT
PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1 et seq.,
WITH DELRAN LAND INVESTMENT, LLC FOR PROPERTY KNOWN AS “STELLWAG
FARMS” BLOCK 116, LOT 23**

Mr. O’Connell made a motion, seconded by Mrs. Kolodi to approve Ordinance 2018-11 on first reading.

There being no questions, the roll was called.

Ms. Parejo, Mr. Kolodi, Mr. O’Connell and Mr. Catrambone voted aye. Mr. Burrell voted nay.

Ayes: 4

Nays: 1

Motion Approved

PUBLIC PORTION

Chuck Stahl asked if they could summarize what was just passed.

Mr. Shotts stated the two Resolutions authorize settlement agreements surrounding the Township’s declaratory judgement action which is seeking confirmation from the court that the Township is in compliance with the Mt. Laurel constitutional obligation. The three ordinances are in furtherance of those settlement agreements.

Mr. Burrell made a motion to adjourn the meeting, seconded by Mrs. Kolodi. All were in favor, the meeting was adjourned.

Respectfully submitted,

Jamey Eggers, Township Clerk

