

**WORK SESSION
MUNICIPAL BUILDING**

**October 9, 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.

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

REVIEW BID REPORT 2020 FREIGHTLINER DUMP TRUCKS

Mr. Hatcher reported that we received one bid from Robert H. Hoover & Sons in the amount of \$259,964.00. The bid was within the budgeted funds. Mr. Hatcher stated that Mr. DeSanto recommended award of the base bid plus option 1 which is a five year Engine, ATS, Transmission and Towing Extended warranty in the amount of \$2,803.00.

After discussion, Council agreed to put a Resolution on the on the Public Meeting agenda for approval.

REQUEST TO WAIVE LATE FEE FOR FIVE BELOW

Mr. Catrambone stated that it appears they were not billed for the 2018 Food Handler License.

Ms. Eggers stated that somehow they were missed when notices were sent. They called us looking for their renewal application after the due date. We would like to waive the late fee since this was our error and the only way to do that is through a Resolution.

After discussion, Council agreed to put a Resolution on the on the Public Meeting agenda for approval.

ANIMAL CONTROL CONTRACT

Mr. Hatcher reported that price quoted from M&R Wildlife Services is the same amount as the previous year and recommended award.

After discussion, Council agreed to put a Resolution on the on the Public Meeting agenda for approval.

BURLCO JIF ISSUES

Mr. Hatcher stated that there have not been many updates since his last report but wanted to point out that the Elected Official liability seminar dates are out with four options from December through March. For each elected official that attends, we get a \$250.00 credit on our premium. There will also be one seminar at the League of Municipalities Convention at 3:45 PM on Wednesday, November 14th. Once we have the classroom, we will provide the information.

We are nearly complete with the 2019 Budget for the JIF and if there is increase it will be small and there should be no increase to the budget since we have funds in the excess liability fund.

FIRE DEPARTMENT REQUEST

Mr. Catrambone stated that the Fire Department has requested use of the Township parking lot for their vehicles during the funeral for Craig Pennell. Council agreed.

NOVEMBER PUBLIC MEETING DATE

Mr. Catrambone reported that because of the election next month we need to change the date of the public meeting. Normal practice would be to have it on the second Tuesday but there is a conflict with the NJ League of Municipalities Convention.

After discussion, Council agreed to hold the meeting on Wednesday, November 7th at 7:00 PM.

HOMECOMING BREAKFAST

Mr. Catrambone stated that we had the same request last from the parents to host a breakfast for the students staging on Wright Way.

Mr. Hatcher stated that it is the same request and there were no issues last year as they took care of the cleanup.

Mrs. Kolodi made a motion, seconded by Mr. Burrell allowing the parents to host a breakfast for students staging for the homecoming parade on Wright Way. All were in favor, motion approved.

BACKGROUND CHECK ORDINANCE

Mr. Platt stated that he has distributed the first draft of the ordinance as directed by Council. He recently updated the ordinance to not only deal with the criminal background check but the loss of a professional license or certificate from the state due to matters of moral turpitude that would affect them being a volunteer or youth coach in Delran. Mr. Platt stated that if Council has any questions or changes they can let him know and if not this can be ready to introduce at the next meeting.

Mr. Burrell stated that the RAC has concerns that this will impact their volunteers. He asked if there is anyway this ordinance can carve out the RAC as it puts a burden them.

Mr. Platt stated that he will work with Mr. Hatcher on some language to address this issue.

Mr. Catrambone if this covers volunteers under the age of 18.

Mr. Platt stated that the ordinance covers volunteers 18 years of age and older.

Chief Parente addressed his concerns. He feels there should be a self-reporting mechanism in the ordinance to cover the period between the 3 year background checks which he doesn't see.

Mr. Platt stated that he can add that language.

Chief Parente stated that if the applicant has a challenge to their criminal history the ordinance directs the Chief to do an investigation. Chief Parente stated that he doesn't feel is proper. If they have an issue they should go to the SBI or the FBI to find out the issue.

Mr. Platt stated that he will amend that language.

Chief Parente stated that the language indicates that he can't tell the Administrator or the applicant why they are disqualified unless they appeal. Chief Parente asked at what point he can disclose the information.

Mr. Platt stated that the reason can be disclosed upon the filing of the appeal. The appeal and the reason for disqualification should be in writing.

Mr. Platt stated that they will have an updated draft ready for the next work session.

STREET LIGHTS – MORIUCHI FARMS/ORCHARD FARMS

Mr. Hatcher stated that state statute reads that once 50% of the certificates of occupancies have been issued, they can request in writing that the municipality take over the street lighting. They have met that requirement and once we receive the request, the Township has thirty days to take on the street lights.

Mr. Catrambone asked if any action is needed.

Mr. Winckowski stated that PSE&G is going to need something in writing from the Township.

Mr. Platt stated that Council should make a motion authorizing Mr. Hatcher to issue a letter confirming that the Township will take over the street lighting.

Mr. Burrell made a motion, seconded Mrs. Kolodi. All were in favor, motion approved.

REPORTS

Chief Parente – No report.

Ms. Eggers –No report.

Mr. Hatcher – Mr. Hatcher reported that the Jake's Place equipment has been delivered and is being stored until the re-bid. The equipment at Conrow Park has been removed and we expect installation of the new equipment to begin in the next week and a half.

Mr. Winckowski – Mr. Winckowski reported the 2018 Road Program and Hartford Road project is ongoing. The Municipal Building roof project is nearly complete. We are just waiting on the skylight next week. The sidewalk improvements along Route 130 are nearly complete. They are just waiting on the signage and stripping to be complete which should be this week or next week. Mr. Winckowski stated that PSE&G is already completing the resurfacing of Fordham, Edgewood and some side streets.

Mr. Platt – No report

Mr. O'Connell – Mr. O'Connell reported that he attended a meeting of the Delran Seniors and they had a presentation by the Burlington County Sheriff's Department. They offer a free home security inspection to all resident 60 years and above. There is an application on line. If anyone needs additional information they can contact him.

Mr. Burrell – No report.

Ms. Parejo – No report.

Mrs. Kolodi – No report.

Mr. Paris – Mr. Paris stated that he wants welcome Lightbridge Academy to town. They are a child care education center and will be opening in March or April.

Mr. Paris stated that he would like to address to issue surrounding Mr. Catrambone and the petitions. Mr. Paris would like to present documents and would like to get Council's direction on what they would like to do. Mr. Paris asked Mr. Catrambone if he would like to address the issue.

Mr. Catrambone asked Mr. Paris to continue with his report and indicated that he will address the issue if required.

Mr. Paris discussed the items in question surround the petitions. All the at large Council and Mayor nominating petitions for the Democratic Party prepared from 2010 through 2016 were signed and notarized by Gina Reed. The 2014 nominating petition for Mike Schwartz was notarized by Gary Catrambone. All nominating petitions from 2010-2016 were all dated between the last week of March and the first week of April which would be the normal timeframe. The 2014 nominating petition for Mike Schwartz was notarized on February 18th. It was like the petition was done in anticipation of something happening to the candidate prior to the submission date. Mr. Paris stated that Mike Schwartz's signature is obviously different on the 2014 petition compare to the 2010 petition. The response provided on the Delran.net website from the Democratic Party stated that for the record the reason the signatures are different is because during his first term in office Mr. Schwartz lost his vision. Mr. Paris asked why that information addressing the difference in signatures wasn't included in the 2018 affidavit signed by Mr. Schwartz as that was critical information. It is also a normal practice for the candidate and family members to sign their own petitions. Mr. Paris stated that on the 2010 petition for Mr. Schwartz was signed by both himself and his wife as witnesses but neither one signed the 2014 petition and yet they were supposedly present when the petition was signed. Mr. Paris stated that the Mike Schwartz's signature was obtained on February 18th and Mr. Schwartz was in attendance on the work session that night. Mr. Paris stated that Mrs. Kolodi questions Mr. Catrambone and his response was that he went to Mr. Schwartz's house that day because he had an issue with his ribs and may have to go to the hospital. Mr. Paris stated that the petitions are not due for another month and a half. Did Mr. Catrambone know something in advance that Mr. Schwartz would not be around to sign the petition when they due in April. Mr. Paris stated that Mr. Schwartz was also at the meeting on February 25, 2014. Mr. Paris stated that he raised his concerns surrounding the Council President signing and notarizing the 2014 petition of Mike Schwartz. He brought his concerns to Councilman Burrell and Councilwoman Kolodi several months ago showing them evidence of the finding as well as playing them the recordings that support the findings. Mr. Paris stated that he suggested an investigation should be done similar to the one supported against him surrounding the perception of an ethics

violations. This allegation is more serious especially when it involves somehow being elected to serve on Council. Mr. Paris asked if Council is going to pursue an investigation. He realizes that affidavits were presented by three witness but aren't they ex Councilman Mike Schwartz, his wife and Council President Catrambone, the one in question. Mr. Paris stated that he has two recording, one from Councilman Schwartz after he signed the affidavit that he doesn't remember signing the petition but that his wife told him he did and people also told him it was signed in the hospital. Mr. Paris stated that he also has individuals that are willing to sign affidavits regarding the recordings. Mr. Paris stated that Mr. Catrambone was also going to run for Mayor in 2016 but was advised not to because the issue would be used against him. If this Council refuses to investigate this issue, Mr. Paris stated that he will refer the information the County Prosecutor's office since this is a criminal act if found to be true.

Mr. Burrell stated that he appreciates Mr. Paris bringing this information forward and that he told the Mayor he would a few months back that he would look into the issue. Mr. Burrell stated that he talked to his own counsel, called Mr. Catrambone asked was advised that he had affidavits from the three people in the room when the petition. Mr. Burrell stated that those affidavits are stronger than the Mayor's accusations.

Mrs. Kolodi stated that when Mayor Paris brought the allegations to her she went right to Mr. Catrambone and he denied the allegations. Mrs. Kolodi stated that she then listened to the tapes that Mayor Paris provided and on the tape she heard Mike Schwartz say he didn't remember. She then went back to Mr. Catrambone and he stated that he had an affidavit that that Mike Schwartz signed his own position. Mrs. Kolodi stated that is her evidence.

Mr. Paris asked Council if they are willing to listen to the tape.

Mr. O'Connell asked if the tape was made with knowledge of the people on the tape.

Mr. Paris stated that that he has the right to use this tape that was given to him. If the tape is fact why won't they listen.

Mr. O'Connell stated that he is not interested in listening to the tape if the person being taped didn't know.

Mr. Catrambone stated that if Mayor Paris feels strongly enough then provide that information to Prosecutor's Office.

Mr. Paris stated that he will but would like to play the tape.

Mr. Catrambone stated this isn't the forum to play secretly recorded tapes.

Mrs. Kolodi stated that in a court of law she feels an affidavit would be stronger evidence than a tape.

Mr. Paris stated that Council was willing to pursue an ethic violation against him but this is criminal and they aren't willing to look into the allegations. He is disappointed that Council will not take a stand and here is the reason why he is suggesting that we need representation from the other party on this Council. This Council will not take a stand against Council President Catrambone.

PUBLIC PORTION

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

Angelo Cinti, 27 Ashley Drive, stated that if you have volunteers coming in there should be a form they must fill out and have a person sign to form to sponsor the individual. If the person volunteers more several times then we can perform the background check.

Mr. O'Connell stated that the only issue he sees if not everyone may have a sponsor.

Mr. Cinti stated that we could still have them sign the form and check no sponsor that way there is still a record.

Mr. Catrambone stated that we will review the procedures from the organizations.

Ms. Pomeranz, 21 Alden Avenue, stated that she wants to make sure she understands the tax abatement for Stellwag Farms. Ms. Pomeranz asked if the abatement is for the builder or the owner.

Mr. Catrambone stated that it is for the owner. Once the CO is issued it starts the clock for the abatement.

Ms. Pomeranz asked if there is going to be an estimate for the homeowner as to what their taxes will be after that period of time.

Mr. Platt stated that each property will be assessed.

Ms. Pomeranz stated that she realized it was an incentive to sell the property but she questioned if in five years we end up with a bunch of houses for sale because they can't afford the taxes.

Mr. Catrambone stated that this would be very similar to an adjustable rate mortgage. They would know up front what the taxes will be and they will pay a percentage over the five years.

Ms. Pomeranz asked why we are providing those incentives are we so sure the properties will not sell.

Mr. Catrambone stated that we had a redevelopment agreement in place with the developer and due to the affordable housing litigation we needed the developer to help us meet our obligation by increasing the number of units to add affordable units.

Ms. Pomeranz stated that there are so many affordable units in town that are vacant and they can't sell them.

Mrs. Kolodi stated that this Council had those same discussions and it is difficult to wrap your head around the fact that we have vacant affordable units and we have to provide more. We felt this was the best decision for the situation.

Mr. Catrambone stated that this was the result of litigation and we have to mediate with all parties. Mr. Catrambone stated that the affordable units will not be included in the abatement.

Ms. Pomeranz asked how is responsible for marketing the affordable units within the development.

Mr. Hatcher stated that in the beginning they will be marketed by the developer not the state.

Ms. Pomeranz asked if Norman Avenue is on the schedule to be paved.

Mr. Winckowski stated that it is on the list of potential roads that will be discussed for the 2019 Road Program.

Chuck Stahl, 184 Natalie Road, asked if there option to not develop the Stellwag property.

Mr. Catrambone stated that once the property was sold we worked with the developer on a redevelopment plan. Then once we were sued we had to work with them to make the best deal possible.

Mr. Cinti asked what happens if the property is sold within the five years does the new owner get the abatement.

Mr. Catrambone stated the abatement runs with the land.

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: Litigation – Mount Laurel compliance/Declaratory Judgement Action and Contract Negotiations – Delran Emergency Squad.

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

Mr. Catrambone stated that there are three Resolutions that need to be adopted tonight as a result of the discussions in executive session.

TOWNSHIP OF DELRAN RESOLUTION 2018-193

RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE EXECUTION AND ADOPTION OF THE SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN AND ATLANTIC DELTA CORPORATION AT MONTGOMERY, INC.

WHEREAS, Delran Township had initiated litigation in the Superior Court of New Jersey, Burlington County, Law Division under Docket Number BUR-L-1602-15; and

WHEREAS, Delran Township and Atlantic Delta Corporation at Montgomery, Inc. have reached a settlement of the litigation; and

WHEREAS, the Parties have mutually agreed to enter a Settlement Agreement.

NOW THEREFORE BE IT RESOLVED that:

1. The Township Council has approved the terms and language of the Settlement Agreement.
2. Delran Township adopts the terms and conditions of the Settlement Agreement.
3. Delran Township's Council President, Gary Catrambone, is now authorized to execute the Settlement Agreement on behalf of Delran Township.
4. The Township's Business Administrator, and any other necessary Township employee(s), are authorized to take any actions as necessary to satisfy the terms of the Settlement Agreement.

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2018-193.

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

**TOWNSHIP OF DELRAN
RESOLUTION 2018-194**

**RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE EXECUTION AND
ADOPTION OF THE SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN
AND FAIR SHARE HOUSING CENTER**

WHEREAS, Delran Township had initiated litigation in the Superior Court of New Jersey, Burlington County, Law Division under Docket Number BUR-L-1602-15; and

WHEREAS, Delran Township and Fair Share Housing Center have reached a settlement of the litigation; and

WHEREAS, the Parties have mutually agreed to enter a Settlement Agreement.

NOW THEREFORE BE IT RESOLVED that:

5. The Township Council has approved the terms and language of the Settlement Agreement.
6. Delran Township adopts the terms and conditions of the Settlement Agreement.
7. Delran Township's Council President, Gary Catrambone, is now authorized to execute the Settlement Agreement on behalf of Delran Township.
8. The Township's Business Administrator, and any other necessary Township employee(s), are authorized to take any actions as necessary to satisfy the terms of the Settlement Agreement.

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-194.

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

**TOWNSHIP OF DELRAN
RESOLUTION 2018-195**

**RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE EXECUTION AND
ADOPTION OF THE SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN
AND DELRAN LAND INVESTMENTS, LLC**

WHEREAS, Delran Township had initiated litigation in the Superior Court of New Jersey, Burlington County, Law Division under Docket Number BUR-L-1602-15; and

WHEREAS, Delran Township and Delran Land Investments, LLC have reached a settlement of the litigation; and

WHEREAS, the Parties have mutually agreed to enter a Settlement Agreement.

NOW THEREFORE BE IT RESOLVED that:

9. The Township Council has approved the terms and language of the Settlement Agreement.
10. Delran Township adopts the terms and conditions of the Settlement Agreement.
11. Delran Township's Council President, Gary Catrambone, is now authorized to execute the Settlement Agreement on behalf of Delran Township.
12. The Township's Business Administrator, and any other necessary Township employee(s), are authorized to take any actions as necessary to satisfy the terms of the Settlement Agreement.

Mrs. Kolodi made a motion, seconded by Ms. Parejo to adopt Resolution 2018-195.

There being no questions, the roll was called.

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

Ayes: 4

Nays: 1

Motion Approved

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

Respectfully submitted,

Jamey Eggers, Township Clerk