

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 December 23, 2010 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Kolodi, Mr. Schwartz., Mr. Moran, Mr. Catrambone and Mr. Morrow were present.

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

Mr. Morrow asked that before we begin the meeting we have moment of silence for the passing of Congressman John Adler.

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2011-6**

**AN ORDINANCE AMENDING CHAPTER 150 OF THE CODE OF THE
TOWNSHIP OF DELRAN, ENTITLED "FEES," TO ESTABLISH FEES
FOR SANITARY SEWERAGE SERVICE**

WHEREAS, the Mayor and Township Council have dissolved the Delran Sewerage Authority and have now created the Delran Sewer Department; and

WHEREAS, the Mayor and Township Council understand the necessity to establish by ordinance, fees for sanitary sewerage service; and

BE IT ORDAINED by the Mayor and Township Council of the Township of Delran, in the County of Burlington, State of New Jersey that Chapter 150 of the Code of Delran Township shall be amended as follows:

Section 1: §150-15 entitled "Sanitary Sewerage Service" is added and shall read as follows:

§150-15(A). METERED SERVICES – MINIMUM FEES

Service charges for all ratepayers served by a public water utility are based on water usage as measured by the ratepayer's water meter. The annual charge to ratepayers with metered water service is based on the ratepayer's water meter readings for January, February, and March of the previous calendar year. The water usage experience of these three (3) months is attributed to all four (4) quarters of the billing year resulting in four (4) quarterly charges.

Ratepayers with metered water service will be charged a minimum quarterly fee which will apply to all levels of water usage up to 10,000 gallons per quarter. For every additional 1,000 gallons or any part thereof, excess consumption fees will be charged.

1) RESIDENTIAL USERS

a) The minimum quarterly fee for residential units with individual water meters is One Hundred Two Dollars and Seventy-Five Cents (\$102.75). This rate applies to ratepayers whose total water consumption in January, February, and March of the previous calendar year ranged from 0 to 10,000 gallons.

b) Ratepayers who used more than 10,000 gallons in January, February and March of the previous calendar year will be charged One Hundred and Two Dollars and Seventy-five cents (\$102.75) minimum quarterly fee, for the first 10,000 gallons used, plus an "excess consumption fee" for each additional 1,000 gallons or any part thereof.

2) RESIDENTIAL USERS IN OTHER MUNICIPALITIES

a) The minimum quarterly fee for residential units in other municipalities with individual water meters is One Hundred Sixty Three Dollars and Ninety Five cents (\$163.95). This rate applies to users whose total water consumption in January, February and March of the previous calendar year ranged from 0 to 10,000 gallons.

b) Residential users who used more than 10,000 gallons in January, February and March of the previous calendar year will be charged One Hundred Sixty-three Dollars and Ninety-five cents (\$163.95), the minimum quarterly fee for the first 10,000 gallons used, plus an “excess consumption fee” for each additional 1,000 gallons, or any part thereof. Minimum fees for residential users in other municipalities will be billed to and payable by the municipality and not the residents.

3) MULTIPLE DWELLING UNIT RESIDENTIAL USERS.

a) The minimum quarterly charge for multiple dwelling unit residential structures serviced through a single water meter shall be determined by multiplying the number of dwelling units in the structure by One Hundred Two Dollars and Seventy Five cents (\$102.75).

b) The forgoing fee will apply when the total water consumed in January, February and March of the previous calendar year is equal to or less than 10,000 gallons multiplied by the number of dwelling units serviced through the single water meter.

c) When the amount of water consumed in January, February and March of the previous calendar year exceeds the product of 10,000 gallons and the number of dwelling units serviced through the single water meter, the ratepayer will pay the minimum quarterly fee as calculated in subsection 1, plus an “excess consumption fee” for each additional 1,000 gallons, or any part thereof.

4) SINGLE COMMERCIAL AND INDUSTRIAL USERS

a) The minimum quarterly fee for all nonresidential users served by individual water meters is One hundred and seventy-nine dollars and twenty cents (\$179.20). This rate applies to ratepayers whose total water consumption in January, February and March of the previous calendar year ranged from 0 to 10,000.

b) Ratepayers who used more than 10,000 gallons in January, February and March of the previous calendar year will be charged One hundred Seventy-Nine Dollars and Twenty Cents (\$179.20) the minimum quarterly fee, for the first 10,000 gallons used, plus an “excess consumption fee” for each 1,000 gallons, or any part thereof.

5) MULTI-UNIT COMMERCIAL OR COMBINATION USERS

a) The minimum quarterly fee for all multi-commercial or combination commercial and residential users serviced through a single water meter shall be determined by multiplying the number of units of each type (i.e., residential, commercial, educational, etc.) by the applicable minimum quarterly fee.

b) The foregoing fee will apply when the total water consumed in January, February and March of the previous calendar year is equal to or less than 10,000 gallons multiplied by the number of units, of whatever description serviced through the single water meter.

c) When the amount of water consumed in January, February and March of the previous calendar year exceeds the produce of 10,000 gallons and the number of units serviced through the single water meter, the ratepayer will pay the minimum quarterly fee as calculated in subsection 1. plus the nonresidential “excess consumption fee” for each additional 1,000 gallons, or any part thereof.

§150-15(B). METERED SERVICES–EXCESS WATER CONSUMPTION CHARGE

1) LOCAL USERS – RESIDENTIAL AND COMMERCIAL

a) Residential users who used more than 10,000 gallons of water in January, February and March of the previous calendar year will be charged an excess consumption fee of Five dollars (\$5) for each additional 1,000 gallons, or any part thereof, they used. This excess consumption fee will be charged in all four (4) quarters of the billing year.

b) All nonresidential users who used more than 10,000 gallons of water in January, February and March of the previous calendar year will be charged an excess consumption fee of Seven dollars and twenty cents (\$7.20) for each additional 1,000 gallons, or any part thereof, they used. This “excess consumption fee” will be charged in all four (4) quarters of the billing year.

2) USERS IN OTHER MUNICIPALITIES

a) Residential users who used more than 10,000 gallons of water in January, February and March of the previous calendar year will be charged an excess consumption fee of Seven Dollars and Twenty cents (\$7.20) for each additional 1,000 gallons or any part thereof, they used. This excess consumption fee will be charged in all four quarters of the billing year.

b) Excess consumption charges assessed against residential users in other municipalities will be billed to and payable by the municipality and not the residents.

3) INDUSTRIAL/MANUFACTURING USERS

a) Industrial/manufacturing users who use water as an ingredient in a product or products manufactured, diluted, mixed or hydrated on premises connected to the sanitary sewer system may apply for an exemption from the excess water consumption charges established by this subsection.

The application must contain the following information and documentation:

i) Copies of water meter readings for the last twelve (12) months.

ii) A certification from an engineer or comparable professional approximating the total amount of water in the product or products manufactured on the premises and shipped or sold from the premises for the same 12-month period. This certification shall include an explanation of the methodology used to arrive at the estimate and sufficient supporting documentation to allow the Township staff to evaluate the accuracy of the applicant’s estimate.

iii) Such other documentation, records, testimony, and/or evidence as the Township may reasonably require.

b) Industrial/manufacturing users may install flow meters, at their own cost and expense, according to plans approved by the Township Engineer under the following circumstances:

i) The Township concludes, based on the proofs supplied by the applicant and reviewed and accepted by the Township staff, that it would be grossly unfair to charge the usual excess consumption charge because a substantial amount of the water used by the applicant is not entering the sewerage system but leaving the premises as an ingredient in the applicant’s product.

ii) The applicant pays the Township’s professional review fees in connection with the application as well as the review of the design and the inspection of the installation of the flow meter.

iii) The applicant, as condition of the Township's approval, agrees to repair, replace, and/or provide maintenance to the flow meter as directed by the Twp.

iv) The applicant, as a condition of the Township's approval, pays in full, any outstanding excess consumption charge, as estimated by the Township, based on the proofs supplied in the application to install the flow meter.

c) Industrial/manufacturing users who have installed flow meters pursuant to the foregoing procedure will be billed for excess consumption charges on the basis of the flow meter readings as verified by the Township and not on the basis of their water meter reading.

4) FIRE DISTRICTS

Delran Township is currently served by two (2) fire companies organized under a single fire district. Each company owns and/or maintains five (5) pieces of firefighting equipment. Not only must this equipment be kept meticulously clean; two (2) vehicles at each station, so-called "pumpers," carry their own water supply for firefighting. Both fire companies use substantial amounts of metered water to fill their "pumpers" after each fire, and after many of the weekly "drills" which the companies are required to attend. Substantial amounts of metered water are also used to clean firefighting equipment. This water does not enter the sanitary sewer system, but is disposed of through the Township's storm water system. It is, therefore, necessary to create a special classification with corresponding user rates for the fire companies.

Based on the foregoing, fire companies are exempt from the payment of the minimum quarterly fees paid by other ratepayers. Fire companies will not be charged for the first 21,000 gallons of metered water used per quarter, but will pay excess consumption charges, at commercial rates, for all water usage over the 21,000 gallon quarterly usage figure. It shall be the responsibility of the fire companies to keep the Township informed as to the number of firefighting apparatuses owned by each.

§150-15(C). METERED SERVICE – NEW USERS – RESIDENTIAL AND NONRESIDENTIAL AND SUBSTANTIALLY CHANGED NONRESIDENTIAL USES

As stated in the section entitled "Rate Structure,"

1) The annual charge to ratepayers with metered water Service is based on the ratepayer's water meter readings for January, February and March of the previous calendar year. The water usage experience of these three (3) months is attributed to all four (4) quarters of the billing year, resulting in four (4) equal quarterly charges.

2) Water meter readings from January, February and March of the previous calendar year do not exist in the case of new structures, and are inapplicable in the case of structures that experience a substantial change in use.

The Township's annual billing cycle runs from January 1 to December 31.

Charges for new residential users will be computed as follows:

FIRST BILLING CYCLE: New residential ratepayers will be charged the minimum applicable quarterly fees for whatever part of the first billing cycle they are connected to the sanitary sewer system.

SECOND BILLING CYCLE: In the second billing cycle the Township will compute the annual fee based on the water meter readings for January, February and March of the second billing cycle.

THIRD BILLING CYCLE: In the third billing cycle the Township will compute the annual fee based on the water meter readings for January, February and March of the previous billing cycle.

Charges for new nonresidential and substantially changed nonresidential users will be computed as follows:

FIRST BILLING CYCLE: During the first billing cycle quarterly bills will be based on water usage projections (estimates) of the Township Engineer.

SECOND BILLING CYCLE: In the second billing cycle, if and only if complete water meter readings are available for October, November and December of the previous billing cycle, the Township will use the meter readings from those three (3) months to compute the annual fee. If complete water meter readings are not available for October, November and December of the previous billing cycle, the annual fee will continue to be based on the water usage projections (estimates) of the Township Engineer.

THIRD BILLING CYCLE: In the third billing cycle the Township will compute the annual fee based on the water meter readings for January, February and March of the previous billing cycle.

3) **APPEALS:** New nonresidential and substantially changed nonresidential users may appeal the amount of their user fees as determined from the estimates made by the Township Engineer, but not until the first complete fourth quarter meter reading and the first complete first quarter meter reading have been made. Appeals must be filed with the Township Administrator no later than thirty (30) days after the ratepayer's receipt of the last of these two (2) complete meter readings. Appeals must be in writing with copies of the meter readings attached. No appeal will be heard by the Township unless the meter readings establish that the ratepayer's actual water usage was at least 25 percent less than the Engineer's estimate.

Ratepayers who comply with all the foregoing conditions will be afforded a hearing by the Township as soon as practicable after the appeal is filed. At least ten (10) days in advance of the hearing the ratepayer will be notified of the time, place, and date thereof. The notice will be by regular mail directed to the ratepayer's billing address. Notices will be deemed received upon mailing.

§150-15(D). UNMETERED SERVICE – RESIDENTIAL

1) **SINGLE UNIT** - The quarterly charge for residential units with an unmetered water supply is One Hundred Forty Four dollars and Seventy cents (\$144.70).

2) **MULTI-UNIT** - The quarterly charge for multi-unit unmetered residential users shall be determined by multiplying the number of dwelling units by One Hundred Forty-Four dollars and Seventy cents (\$144.70).

§150-15(E). UNMETERED SERVICE - COMMERCIAL/INDUSTRIAL

1) **UNMETERED SERVICE - SINGLE COMMERCIAL/ INDUSTRIAL EXISTING UNITS**

The quarterly charge for a single commercial unit with an unmetered water supply is Three Hundred Twenty Dollars (\$320.00).

2) **UNMETERED SERVICE - MULTI-UNIT COMMERCIAL/INDUSTRIAL EXISTING USER**

The quarterly charge for multi-unit commercial/industrial users with an unmetered water supply shall be determined by multiplying the number of units by Three Hundred Twenty Dollars (\$320.00).

3) **UNMETERED SERVICE – NEW COMMERCIAL/INDUSTRIAL UNITS**

The quarterly charge for new unmetered commercial or industrial units shall be based on the building area as follows:

- a) Units of 192,000 square feet or less - Three Hundred Twenty Dollars (\$320.00).
- b) Units in excess of 192,000 square feet - Three Hundred Twenty Dollars (\$320.00) plus Seven Dollars and Twenty cents (\$7.20) for each 8,000 square feet or any part thereof in excess of 192,000 square feet.

§150-15(F). SEPTAGE

The Township currently accepts and treats septage generated in pleasure boats moored at, or doing business in, marinas in the Township’s harbor district. The per-gallon charge for the disposal and treatment of septage is \$0.09 per gallon. Septage is introduced into the sanitary sewer system in two (2) distinct ways, and the Township bills to accept septage in two (2) ways.

1) TANKER TRUCKS - Customers depositing septage into the sanitary sewer system from tanker trucks are billed at the time of delivery and not quarterly. Such customers are billed for the full rated holding capacity of the tanker truck depositing septage into the sewerage system.

2) HOLDING TANKS - Customers who propose to introduce septage into the sanitary sewerage system by making lateral connections between holding tanks and the sanitary sewer system must first obtain Township approval to install the lateral. Applicants must also agree to install approved flow meters at the intake point of the holding tank. Such customers are billed quarterly and are charged on the basis of meter readings provided by the approved flow meters.

Customers with existing lateral connections linking septage holding tanks with the sanitary sewerage system must install approved flow meters at the intake point of the holding tank within six (6) months of the effective date of this ordinance.

Nothing in this provision shall be construed as obligating the Township to accept septage from new septage generators without prior approval.

§150-15(G). AUTHORITY TO ADJUST OR CORRECT BILLS

The Chief Financial Officer is hereby authorized to adjust bills upon a finding that there has been a mistake in billing because of misread water meters or computer mistakes. Whenever the Chief Financial Officer corrects a bill pursuant to this rule, he/she shall report the adjustment to the Township at its next regular meeting.

§150-15(H). SURCHARGE FOR THE TREATMENT OF INDUSTRIAL WASTES

The quarterly service charge for sewerage service for the collection and treatment of industrial wastes discharged into the Township’s system shall be based upon the water usage as computed under the rate structure and product of the surcharge or premium charge as determined as a strength factor in accordance with the following formula:

$$\begin{aligned} \text{FACTOR \%} &= 44 + 23 (\text{BOD in PPM}/250) * \\ &+ 31 (\text{SS in PPM}/250) * \\ &+ 2 * (\text{Chlorine Demand in PPM}/15) * \end{aligned}$$

* Where these figures are less than 250 PPM in BOD, or 250 PM in suspended solids, or 15 PPM in chlorine demand, the value in parenthesis shall be equal to 1.

** In cases where the suspended solids, in the opinion of the Township, do not represent the true characteristics of the solids loading, the Township reserves the right to use total solids instead of suspended solids.

§150-15(I). DISCONNECT AND RECONNECT CHARGES

1) Should it be necessary to seal an existing lateral connection to the Delran Sewerage Department collector mains due to renovations, reconstruction, etc. and/or non-occupancy for an indefinite period of time:

2) The owner, lessee or their designated representative shall officially request the Township's representative to witness application of the seal in accordance with accepted procedures of the Township.

3) If during this period, the Township is reimbursed semi-annually with one-third (1/3) of the minimum use charge in effect at the time, the applicant may reopen the line upon payment of a filing fee of forty-five (\$45.00), a reconnection fee of One Hundred Eighty Dollars (\$180.00) and proper inspection of the connection by the Township's representative. This minimum charge is based on the assumption that the use to which the property is to be placed is residential

4) Should the use of the property be other than the original use, then the connection charge will be computed in accordance with the existing schedule of rates in effect. A credit will be given for the computed connection charge for the original installation connection provided the new computed charge is in excess thereof.

5) If, however, after proper sealing of the lateral has been accomplished, the Authority is not reimbursed semi-annually with one-third (1/3) of the minimum use charge in effect at the time, the applicant will be charged the filing fee of forty-five dollars (\$45.00) plus a connection charge in accordance with existing rates as a new installation, regardless of the use to which the property will be placed.

Section 2: Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Delran declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

Mr. Moran made a motion to open the meeting to the public, seconded by Mr. Catrambone. All were in favor, the motion was approved.

There were no comments.

Mr. Moran made a motion to close the meeting to the public, seconded by Mr. Catrambone. All were in favor, the motion was approved.

Mr. Catrambone made a motion, seconded by Mr. Moran to adopt the ordinance on second reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Mr. Moran, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE ON FIRST READING

TOWNSHIP OF DELRAN

ORDINANCE 2011-7

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY IN THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$450,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$427,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Mr. Moran made a motion, seconded by Mr. Catrambone to adopt the ordinance on first reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Moran, Mr. Catrambone voted aye. Mr. Morrow abstained.

Ayes: 4

Nays: None

Abstained: 1

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2011-44**

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Delran Township Council wishes to apply for funding for a project under the Safe and Secure Communities Program and

WHEREAS, the Township Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Township of Delran for the purpose described in the application:

THEREFORE, BE IT RESOLVED by the Township of Delran that

- 1) As a matter of public policy, the Township of Delran wishes to participate to fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of applications for said funds.
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

Mr. Moran made a motion, seconded by Mr. Catrambone to adopt the Resolution 2011-44.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Moran, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 5
Nays: None

Motion Approved

**RESOLUTION 2011-45
RESOLUTION TO AMEND CAPITAL BUDGET**

WHEREAS, the Township Council of the Township of Delran, County of Burlington desires to amend the 2011 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding a new project which was not anticipated at the time of adoption of the capital budget and revision to existing estimates in the capital budget.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Delran, County of Burlington that the following change be made to the Capital Budget of the year 2011:

**AMENDMENT TO
CAPITAL BUDGET OF THE
TOWNSHIP OF DELRAN
COUNTY OF BURLINGTON, NEW JERSEY**
Project Schedule for 2011
Method of Financing

| PROJECT | ESTIMATED COST | CAPITAL IMP. FUND | FUND BALANCE | AUTHORIZED |
|-------------------------------|---------------------------|------------------------------|-------------------------|-------------------|
| Acquisition of Real Property: | | | | |
| From | \$ 0 | \$ 0 | | \$ 0 |
| To | 450,000.00 | 22,500.00 | | |
| 427,500.00 | | | | |

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services.

Mr. Moran made a motion, seconded by Mr. Catrambone to adopt the Resolution 2011-45.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Moran, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 5
Nays: None

Motion Approved

At this time, Council proceeded with the regularly scheduled work session.

Submitted,

Jamey Eggers
Municipal Clerk