

**WORK SESSION
MUNICIPAL BUILDING**

**May 23, 2017
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 11, 2017 and posted on the bulletin board on the same date.

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

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

REQUEST FOR USE OF LAKE LONNIE

Mr. Hatcher stated that we received a request from the Boy Scouts and Cub Scouts for the weekend of June 2nd – June 4th. We have notified them they will not have access to bathrooms and they indicated they will supply a port-a-pot. They will also provide an insurance certificate. They has been approved in the past. Council approved this request.

MEMORANDUM OF UNDERSTANDING WITH BURLINGTON COUNTY REGARDING ANTENNA

Mr. Hatcher reported that we have had some issues with motion delay on the security camera at Delran Community Park. They wanted to install an antenna at the Municipal Building put it interferes with the Public Works communication system. They approached the County requesting permission to install the antenna on their building on Hartford Road. The County has requested the Township to execute a Memorandum of Understanding for the installation. If Council agrees, we will place a Resolution on the Public Meeting agenda. Council agreed

SEWER BILLING ADJUSTMENTS

Mr. Hatcher reviewed the following sewer disputes.

Block: 67 / Lot: 11.01 – Resident indicates that he has elderly parents that usually use between 1,000 to 2,000 gallons a month. This is a complicated issue with the husband dying and multiple accounts being opened by mistake which resulted in a higher than normal bill. Since this has been straightened out with respect to the billing they have shown minimum usage and we believe it should be adjusted to the minimum bill. Council agreed.

Block: 118 / Lot: 4.03 – The resident indicates that they had an unknown leak in the toilet brought to their attention in September when the condo management and their plumber noticed their meter running. Their billing shows 14,000 gallons used in 2015 during the billing period, 17,000 gallons during 2016 and 6,000 during 2017. They provided a bill for their toilet rebuild which did take place in September of 2016. If Council is in agreement with adjusting this bill it should be adjusted to the minimum. Council agreed.

Block: 9.05 / Lot: 2 – Property was not properly read by the NJAW Company from 2012 to 2016. Usage for January, February and March of 2017 is 28,000 gallons. We recommend billing based upon that a billing of \$308.80 per quarter. Council agreed.

Block: 4 / Lot: 14 – Resident reports above normal water usage in February and March of 2016 caused by a toilet leak which he indicated took place in March 2016. He fixed the toilet himself and attached a receipt from Lowe's that was dated at the time of leak. Prior to this time he would have received a minimum bill and his usage has gone back to the minimum billing levels. We recommend adjusting this to the minimum. Council agreed.

Block: 110 / Lot: 13 – Resident indicates that they were on vacation during a significant portion of February and that their grandson turned the hose on to fill a hot tub and never turned it off. Billing shows that they used 24,000 gallons during the billing period with 12,000 of it coming between February and March. Their consumption since that time has been in the 4,000 to 5,000 gallon range for those months. If you wish to make an adjustment, we suggest it be to 13,000 gallons. Council agreed.

Block: 9 / Lot: 41.24 – Business that has a cooling machine which was replaced after it didn't work in January 2017. The current machine is air cooled and has reduced water consumption. They do not claim that there was any items that were defective in respect to the 2016 reading were 27,000 gallons in December to January 2016. For 2017 they have 5,000 gallons February to March, 7,000 January to February and 18,000 December to January for a total of 30,000 gallons where previously they were averaging 23,000 gallons. This water was consumed and the Township Council will have to determine whether or not they wish to make an adjustment for the replacement of the water cooling unit. Council agreed to a billing based 23,000 gallons.

Block: 155 / Lot: 27 – Mr. Hatcher reported that he wrote a follow-up letter to the resident asking for additional information. This will be discussed at a future meeting.

Block: 118.05 / Lot: 3 – Mr. Hatcher stated that he asked the resident for additional information and is waiting for a response.

Mr. Hatcher stated that the reason he included the above two disputes was to let Council know they were filed in a timely manner.

Block: 1 / Lot: 22 – The house has been under renovation since August 2016 and the resident indicated that no one was living in it. It shows 22,000 gallons used during the time period that the billing took place. In reviewing the bills the water usage has been significant going back as far as 2015. No other information was provided as to why we should not be billing this individual since apparently water usage is taking place. Mr. Hatcher stated that he would not recommend an adjustment to this property. Council agreed not to make any adjustment.

Block: 118.03 / Lot: 23 – Resident indicated that there was a water meter malfunction and the NJAW Company changed out his meter. The water meter information at that time was 33,000 gallons and the resident indicates that it should have been 19,000 gallons. It does appear that NJAW Company changed his meter and gave him credits for the rebilling. We recommend this be adjusted to the actual usage of 19,000 gallons. Council agreed.

Block: 164 / Lot: 17 – Resident indicates that they had a water leak in their toilet and the guts of the toilet and seal was repaired. They indicated that a friend fixed the problem and that they have a bill for the new toilet. They just replaced the toilet in April of this year. Water usage was averaging 7,000 gallons a month for the last year and a half. There has only been only water billing period since the repair and the usage was 4,000 gallons. Council agreed to base the billing on 12,000 gallons.

Block: 1 / Lot: 31.01 – Mr. Hatcher stated that he will bring this dispute back to Council at the next meeting.

NEW SEWER ACCOUNTS – ORCHARD FARMS

Mr. Catrambone stated that we have five new homes in Orchard Farms that now require sewer billing. They are 1301 Pear Tree Court, 1311 Pear Tree Court, 1318 Pear Tree Court, 1320 Pear Tree Court and 1322 Pear Tree Court.

Mr. Hatcher stated that they will be billed the minimum bill for 2017.

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

AUTHORIZING SUMMERHILL CONDO AGREEMENT

Mr. Hatcher stated that we had a deletion in the new trash bids for the Summerhill Condos because they did not want to participate in our contract. We negotiated with them an agreement that the Township would reimburse them \$1,377.17 per month for trash removal for the length of the contract. Council will need to adopt a Resolution authorizing execution of the agreement.

TOWNSHIP OF DELRAN RESOLUTION 2017-100

AUTHORIZING MAYOR TO SIGN AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN AND THE SUMMERHILL CONDOMINIUM ASSOCIATION TO PROVIDE FOR REIMBURSEMENT FOR TRASH REMOVAL SERVICES

WHEREAS, the Township of Delran and the Summerhill Condominium Association has determined that is in the best interest of both parties to reimburse the Summerhill Condominium Association for their trash removal services and;

WHEREAS, they are not participating in the trash removal services under the Townships contract with Republic Services of New Jersey and;

WHEREAS, the Township and the Association have agreed that the Township shall reimburse the Association the amount of \$1,377.17 per month for the term of the agreement

NOW, THEREFORE BE IT RESOLVED that the Township Council authorizes the Mayor to sign the agreement between the Township and the Association to provide for this reimbursement.

Mr. Schwartz made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-100.

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

RECOMMENDATION FROM CODE ENFORCEMENT

Mr. Catrambone stated that we received a recommendation from the Code Enforcement Official to prohibit play equipment, such as trampolines, to be assembled in the front yard. He feels it is an eye sore and a safety concern.

Mr. Hatcher stated that the Code Enforcement Officer is reacting to complaints he received from residents.

After discussion, Council agreed that they do not want to address this issue at this time.

FOP AWARENESS PROCLAMATION

Mr. Catrambone stated that at the public meeting we received a request to adopt a Proclamation in support of FOP awareness. Unless anyone has an objection, we will add this to the next Public Meeting. Council agreed.

REQUEST TO WAIVE ROAD OPENING PERMIT FEE FOR DELRAN HIGH SCHOOL

Mr. Catrambone stated that we received a request to waive the Road Opening permit fee for work being completed at the Delran High School.

Mr. Hatcher stated that they indicated the work is being completed within the driveway apron so there are no issues.

Mrs. Kolodi made a motion authorizing the waiver of the \$50.00 application fee, seconded by Mr. Burrell. All were in favor, motion approved.

SAND FILTER PROJECT

Mr. Hatcher stated that the vendor does not want to hold the bid any longer and has requested that we award the contract for the Sand Filter project contingent upon the estoppel period expiring, which will take place on May 25th. Council agreed to adopt the following Resolution.

**TOWNSHIP OF DELRAN
RESOLUTION 2017-101**

**A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR "SAND FILTER
REPLACEMENT" TO C&H INDUSTRIAL SERVICES, INC.
IN THE AMOUNT OF \$1,905,570.00**

Whereas, Delran Township held a bid opening on January 10, 2017 for bids for "Sand Filter Replacement" (the "Project"); and

Whereas, Delran Township received nine (9) bids for this Project as indicated on the Summary of Bid which is attached to this resolution; and

Whereas, C&H Industrial Services, Inc. ("C&H") was the apparent low bidder for this Project; and

Whereas, as the apparent low bid was above the amount budgeted by the Township, the Township required additional time to secure financing for the Project; and

Whereas, this additional time to secure financing meant that the contract for the Project could not be awarded within the sixty (60) days as required by the Local Public Contracts Law, but the three apparent low bidders agreed to extend their bids for an additional sixty (60) days; and

Whereas, the bid submitted by C&H did not contain any irregularities which would deem their bid to be non-responsive; and

Whereas, as the Township has indicated no prior negative history between the Township and C&H, C&H is to be considered a responsible bidder; and

Now, therefore, be it resolved by the Mayor and Council of the Township of Delran that the contract for this project shall be awarded to C&H in the amount of \$1,905,570.00 with terms pursuant to the bid submitted by C&H and contingent upon available finances for the Project and the passing of the estoppel period.

Mr. Schwartz made a motion, seconded by Mr. Burrell to adopt Resolution 2017-101.

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

MUNICIPAL RIGHT OF WAY CONSENT REQUEST – VERIZON

Mr. Catrambone stated that we received a request from Verizon for right-of-way consent for the installation of nodes. Mr. Catrambone stated that his concern is whether they will be installing additional poles.

Mr. Hatcher stated that they indicated that may want to install additional poles. We discussed this at a previous meeting and he was asked to follow up to ask for the actual locations of the nodes and any new utility poles. Their response was very vague and indicated that they would notify us as it gets closer.

Mr. Catrambone asked if we can approve placement on the existing poles but indicate that they will need approval if they are installing any new poles.

Mr. Shotts stated that we can.

Mr. Paris recommended that we also ask them to install FIOS.

Mr. Burrell asked if we are allowed to say that they can't install additional poles.

Mr. Shotts stated that there is a federal statute that says a municipality can't prohibit them from working in the right-of-way; however, we can adopt an ordinance indicating that the installing of any new pole requires a public hearing.

Mr. Hatcher stated that the difficulty is they want non-specific consent. That was one of the concerns Council had after the previous discussion along with a question from Councilman Schwartz regarding town-wide wifi. He feels the answers to those questions were vague.

Mr. Schwartz stated that his thought was that this may be a good time to sit down with them to discuss town-wide wifi. In terms of this particular issue, his understanding is that only way we can get them to alter a plan is if we can prove there is a better location for communication. This issue seems pretty one sided.

After additional discussion, Mr. Shotts suggested Mr. Hatcher follow up again and ask for more specific answers to the locations. Mr. Shotts will prepare a draft ordinance for Council to review at a future work session to address installation of new poles.

REPORTS

Ms. Eggers – Ms. Eggers reminded everyone that for the months of June and July the public meeting will be held on the 2nd Tuesday and we will only have one work session, which will be held the 4th Tuesday.

Mr. Catrambone suggested that this be posted on the Township website and Facebook as a reminder to the residents.

Mr. Hatcher – No report.

Mr. Shotts – Mr. Shotts reported that the Court Commissioners came back with the same valuation as our appraisal on 903 Oak Avenue so we are moving forward.

Mr. O'Connell – Mr. O'Connell thanked the Mayor for asking him to represent the Township at the Emergency Services Memorial held on May 17th honoring Fire and EMT service member that died in the line of duty.

Mr. Burrell – Mr. Burrell stated that he saw the street cleaner out today and thanked Public Works.

Mr. Schwartz – Mr. Schwartz wished everyone a safe holiday weekend.

Mrs. Kolodi – Mrs. Kolodi updated Council on the Chicken Advisory Board. Last night the Advisory Board met to elect their board. She asked that we add those appointments to the next meeting. The members are Beth Thompson Moorhouse, Jill Rosvold, Silvia Gorostiza, Michael Gorostiza and Beth Johnson. They also created a sample application. Mrs. Kolodi stated that they are making some changes and if there is any other changes Council will like to see, please

let her know. Mrs. Kolodi stated that Board would like to know if they can now start receiving applications.

Mr. Hatcher stated that the twenty day estoppel period on the ordinance will expire on May 25th.

Ms. Eggers stated that the Board should also be appointed by Mayor and Council.

Mr. Paris suggested that an extension be added to the application.

Mrs. Kolodi stated that the Chicken Advisory Board will report quarterly to Council for the first year of the pilot and then yearly after that.

Mr. Catrambone suggested that we include or upon request.

Mrs. Kolodi stated that they would also like to create a website and she asked Council if they would like it to be separate from the Township. Council agreed that it should be part of the Green Team but the details can be worked out.

Mrs. Kolodi stated that she is sorry the park event was cancelled.

Mr. Catrambone – Mr. Catrambone report that he received a complaint about the bushes in Hartford Corners. As you are leaving Chick-fil-A in front of Radio Shack looking to the left the bushes are overgrown which makes it difficult to see cars coming off the highway.

Mr. Catrambone reported that the parking lot at Heritage Square has major issues. Every year the fill in pot holes and they are back again.

Mr. Hatcher stated that he will have the Code Enforcement Officer look into both issues.

Mr. Catrambone reported that last Tuesday, former Councilman Anthony “Oggie” Ogozalek passed away. His services were private but he wanted to make mention since we served this community for many years as both a Police Officer and a Councilman.

Mr. Paris – Mr. Paris stated that Councilman Ogozalek gave many years to this community. He was very dedicated to this town and he sends his condolences to his family.

PUBLIC PORTION

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

Linda Gilbert, 75 Stewart Avenue, thanked Councilman Catrambone for bringing up this issue with the parking lot at Heritage Square.

Mrs. Gilbert reported that 50 Stewart Avenue, which was vacant, appears to have been purchased. She stated that they do not appear to have a new trash can. The cans that Republic delivered are now gone.

Mr. Hatcher reported that Public Works was provided with a list of vacant properties and they may have picked up that trash can. Mr. Hatcher stated that we have a list of the cans that we removed.

Mrs. Gilbert stated that she will let the new resident know that they can contact the Township.

Mr. O'Connell made a motion to close the meeting to the public, seconded by Mr. Burrell. 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 Fair Share Housing v. Delran Township. All were in favor, motion approved.

Mr. Schwartz was absent for the closed session portion of the meeting.

Mr. Burrell 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. 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