

**ACTION MEETING
MUNICIPAL BUILDING**

**May 27, 2014
DELRAN, NEW JERSEY**

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 26, 2013 and posted on the bulletin board on the same date.

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

ALSO PRESENT: Tim O'Donnell, Attorney, Mr. Paris, Mayor, Mr. Hatcher, Administrator and Ms. Eggers, Township Clerk.

**TOWNSHIP OF DELRAN
RESOLUTION 2014-70**

**AWARDING CONTRACT FOR
FAIVIEW STREET SIDEWALK IMPROVEMENTS**

WHEREAS, Delran Township accepted bids for the Fairview Street Sidewalk Improvements on April 29, 2014, and

WHEREAS, the bids received were as follows:

<u>CONTRACTOR</u> <u>ITEM 1</u>	<u>BASE BID</u>	<u>BASE BID LESS DELETION</u>
A. Takton Concrete	\$243,051.50	\$213,777.80
Charles Marandino, LLC	\$270,630.65	\$239,634.13
Landberg Construction	\$319,478.05	\$282,757.45

NOW, THEREFORE BE IT RESOLVED that as recommended by a letter from the Township Engineer that the contract for the Fairview Street Sidewalk Improvements be awarded to the low bidder A. Takton Concrete, 13 Tice Road, South River, NJ 08882 for the base bid less deletion item 1 in the amount of \$213,777.80.

BE IT FURTHER RESOLVED that the award of this bid is being made with the requirement that the contractor comply with the requirements of N.J.S.A.10:5-31 et seq. and N.J.A.C 17:27

Mr. Morrow made a motion, seconded by Mr. Schwartz to adopt the Resolution 2014-70.

There being no question, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2014-71**

WHEREAS, Chapter 89 of the Code of the Township of Delran provides that all properties shall be clear of weeds and high grass in order to provide better health protection; and

WHEREAS, when the property owners shall refuse or neglect to clear such high grass and weeds as required by 89-1 within ten days, the Township has determined to take action to declare this a "health hazard" and immediately authorize the Public Works Department to arrange for the cutting of the grass at these properties and to put a lien on taxes in the amounts listed below for the initial cleanup as well as the follow-up costs for providing grass cutting during the season to insure that the health hazard does not return during the course of the year.

<u>Address</u>	<u>Initial Cutting</u>	<u>Follow-up Cutting</u>
903 Oak Avenue	\$100.00	\$45.00
502 Chester Avenue	\$100.00	\$45.00
24 Norman Avenue	\$100.00	\$45.00
12 Columbine Place	\$ 60.00	\$40.00
9 Lilyberry Place	\$ 75.00	\$40.00
34 Snowberry Lane	\$ 60.00	\$40.00
12 Norman Avenue	\$100.00	\$45.00
32 Creek Road	\$100.00	\$45.00

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Delran does authorize the Public Works Department to take the necessary action to provide for the cutting of the grass at the following properties as attached to this resolution and provide for this information to be forwarded to the Tax Office in order to put a lien on these properties until such time as they are maintained by the owners or responsible parties.

Mr. Morrow made a motion, seconded by Mrs. Kolodi to adopt the Resolution 2014-71.

There being no question, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

RESOLUTION 2014-72

RESOLUTION OF THE TOWNSHIP OF DELRAN

**AUTHORIZING A TAX REFUND AND APPEAL ADJUSTMENT PURSUANT TO THE
SETTLEMENT AGREEMENT RESOLVING LITIGATION REGARDING PROPERTY AT 8
FOXGLOVE DRIVE IN DELRAN, A DEED-RESTRICTED AFFORDABLE HOUSING UNIT**

WHEREAS, the Township of Delran is required by law to provide a reasonable opportunity

for the development of its fair share of affordable housing, and is currently receiving an affordable housing credit for a deed-restricted, low-income ownership unit located at 8 Foxglove Drive, Delran, New Jersey 08075, Block 118.21, Lot 1C0008 on the Delran Tax Map (“the Property” or “the Unit”).

WHEREAS, Delran initiated litigation in the New Jersey Superior Court, Burlington County, against Everbank, New Jersey Home Construction, and Michael D. Green, the current owner and resident of the Property, to remedy violations of the affordable-housing deed restrictions recorded on the Property which would cause Delran to lose its credit for the Unit if action was not taken.

WHEREAS, the parties then amicably resolved the matter under the terms and conditions specified in the “Settlement Agreement and Release of Claims Between the Township of Delran and Michael D. Green Regarding 8 Foxglove Drive” and other agreements which served to preserve Delran’s affordable housing credit.

WHEREAS, after the Settlement Agreement was executed, Michael Green completed an application to become income-certified by Delran’s Administrative Agent, the New Jersey Housing and Mortgage Finance Agency, Housing Affordability Service (“HAS”). HAS thereafter executed a Certification of Eligible Household on April 10, 2014.

WHEREAS, Michael Green then executed the instruments necessary to re-establish the Property as a deed-restricted, low-income ownership unit for a term of 30 years, including a deed containing restrictive covenants that run with the land, a recapture note, and a repayment mortgage securing the recapture note, all in a form approved by HAS and the Township Solicitor, and forwarded the instruments to the Solicitor for recording.

WHEREAS, Michael Green has thus timely fulfilled his obligations under the Settlement Agreement by becoming income-certified and executing new affordable-housing deed restrictions.

WHEREAS, Michael Green purchased the Property from New Jersey Home Construction for \$92,000 in 2012, without the approval of HAS; however, the deed-restricted maximum resale price of Property was \$76,524 for the calendar years of 2012 and 2013, as calculated according to N.J.A.C. 5:80-26.6(d) and determined by HAS using the COAH Resale Price Calculator. COAH has yet to issue a Resale Price Calculator for 2014, but the parties agree that \$76,524 represents a fair approximation. The Property was actually assessed at \$102,700 for 2013 and 2014.

WHEREAS, pursuant to the Settlement Agreement, Michael Green is now entitled to an appropriate refund/appeal adjustment for his property tax obligations equal to the difference between the actual amount due for the calendar years of 2013 and 2014, and the amount that would have been due had the property been assessed at the maximum resale price, provided that he pays all delinquencies currently due and owing.

WHEREAS, the Delran Tax Assessor has filed an assessor’s appeal for the 2014 assessment pursuant to the Settlement Agreement.

NOW THEREFORE BE IT RESOLVED that:

1. Michael Green shall be provided a refund of \$886.32 for 2013 and an

appeal adjustment for 2014, provided he that pays all delinquencies currently due and owing.

2. The Township Administrator, and any other Township employee, are authorized to take any actions as necessary to effectuate the terms of the settlement agreement discussed above.

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to adopt the Resolution 2014-72.

There being no question, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**RESOLUTION 2014-73
CLOSED MEETING RESOLUTION**

WHEREAS, N.J.S.A. 10:4-6 et seq. (Open Public Meeting Act) provides for the exclusion of the public from public meeting for certain reasons; and

WHEREAS, it is necessary to close the conference meeting of May 27, 2014 for the following reason:

1. CWA Contract Negotiations
2. Update on Personnel Issues

NOW, THEREFORE, BE IT RESOLVED that the meeting is closed for the reasons above in accordance with the Open Public Meeting act.

Mr. Schwartz made a motion, seconded by Mr. Morrow to adopt the Resolution 2014-72.

There being no question, the roll was called.

Ms. Pangia, Mrs. Kolodi, Mr. Schwartz, Mr. Morrow and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

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

Submitted,

Jamey Eggers