

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**June 25, 2013
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

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 28, 2012 and posted on the bulletin board on the same date.

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

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

Mr. Morrow made a motion seconded by Mr. Schwartz to approve the minutes for May 14, 2013 and May 28, 2013.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

ORDINANCES ON SECOND READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2013-09

BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$1,000,000 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 \$950,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN

RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$1,000,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$950,000; and
- (c) a down payment in the amount of \$50,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$950,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$50,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$950,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$950,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$200,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition and installation of On-Board Computer Systems for Police Cars, together with the completion of all work necessary therefor or related thereto	\$25,000	\$1,250	\$23,750	5 years
B.	Acquisition of Computers and related IT Equipment for Township Finance, Clerk, Tax Assessor and Administration Offices, together with the completion of all work necessary therefor or related thereto	50,000	2,500	47,500	5 years
C.	Improvements to various Township Buildings, Grounds and Playgrounds, together with the completion of all work necessary therefor or related thereto, al as more particularly described in the plans on file with the Township Administrator	100,000	5,000	95,000	10 years
D.	Roadway stripping on various Township Roadways, together with the completion of all work necessary therefor or related thereto, al as more particularly described in the plans on file with the Township Administrator	25,000	1,250	23,750	5 years
E.	Various Roadway and Sidewalk Improvements, together with the completion of all work necessary therefor or related thereto, al as more particularly described in the plans on file with the Township Administrator	800,000	40,000	760,000	10 years

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 9.49 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$950,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Mr. Schwartz made a motion to open the meeting to the public, seconded by Mr. Morrow. All were in favor, motion approved.

There were no comments.

Mr. Schwartz made a motion to close the public portion, seconded by Mrs. Kolodi. All were in favor, motion approved.

Mrs. Kolodi made a motion, seconded by Mr. Schwartz to adopt the ordinance on second reading.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

RESOLUTIONS ON CONSENT AGENDA

Resolution 2013-61 Authorizing the Tax Collector to move sewer payment made by Holy Cross High School

Resolution 2013-62 Authorizing the cancellation of taxes for a property purchased by the Township (Block 65.06, Lot 28.01)

Resolution 2013-63 Releasing the Performance Guarantee for Calvary Church Site Improvements

Resolution 2013-64 Release Sewer Performance Guarantee for Calvary Church

Resolution 2013-65 Authorizing Grass Cuttings at various properties

Resolution 2013-66 Cancelling sewer billing for 1125 Fairview Street due to a fire

Resolution 2013-67 Approving 2013-2014 Liquor Licenses

Resolution 2013-68 Refunding Construction Permit No. 20130321 to Eddie B. Plumbing

Resolution 2013-69 Releasing Planning Board Escrow for T.A.R. Construction

Resolution 2013-70 Releasing Zoning Board Escrow for the Estate of Albert Fynan

Resolution 2013-71 Releasing Performance Guarantee for Red Lobster and waiving the Maintenance Bond requirement

Resolution 2013-72 Setting the date of the Tax Sale

Resolution 2013-73 Approving sewer adjustment for Star Manti, LLC.

Resolution 2013-74 Appointing Steven Eisner as Special Council to handle the NJ American Water Company Tax Appeal

Mr. Morrow made a motion, seconded by Ms. Pangia to adopt the above resolutions.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

MOTIONS

Mr. Schwartz made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mrs. Kolodi.

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

Mrs. Kolodi made a motion, seconded by Ms. Pangia to accept the report of the Tax Collector, CFO and the Township Clerk.

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to confirm to following appointments by the Mayor to the Planning Board.

William Brady as a Class IV Member for a term to expire December 31, 2016
Scott Diehl as a Class IV Member for a term to expire December 31, 2016

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

Mr. Schwartz made a motion, seconded by Mr. Morrow to confirm to following appointments to the Zoning Board

Paul Schultz as a Regular Member for a term to expire December 31, 2016
Andre Myers as a Regular Member for a term to expire December 31, 2016
Joseph Jesuele as Alternate 1 for a term to expire December 31, 2014
Michael Starke as Alternate 2 for a term to expire December 31, 2013

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

Mr. Morrow made a motion approving the following Hardship Waivers. The motion was seconded by Ms. Pangia.

16 Foxglove Drive
203 Lawrence Lane
328 Nicholas Drive

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

Mrs. Kolodi made a motion granting the mercantile licenses listed below. The motion was seconded by Ms. Pangia.

1. Seagull Lighting, 1821 Underwood Blvd., Unit 2
2. Cowan Systems, 1829 Underwood Blvd., Unit 4
3. Al-Zion Motors, 150A-29 Carriage Lane
4. Endams Motors, 150A-30 Carriage Lane
5. B&B Auto Deals, 150-9 Carriage Lane
6. D2D Auto Sales, 150-18 Carriage Lane
7. JJ Star Auto Sales, 207-5 Carriage Lane

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

REPORTS

Ms. Eggers – No report.

Mr. Hatcher – Mr. Hatcher reported that we have nearly completed the wells at the Vermes Soccer Fields and the Notre Dame Baseball Fields. They should be completed and utilized in the next week.

Second, we had a meeting last Friday, with the contractor that will be replacing the flapper valve at Swedes Lake. They are hoping to begin work this week on the project, weather permitting.

Finally, we anticipate the NJDEP permit for the Stewart Avenue flapper valve within the next week. Once we receive approval we can authorize the bid and we are looking approximately sixty days before a bid can be awarded. This will depend on what they require as part of the approval.

Mr. Catrambone stated that he just wanted to make sure everyone understood that we cannot do anything in anticipation of the permit.

Mr. Marmero – No report.

Mr. Bauer – Mr. Bauer, Fire Commissioner, reported that Station I sent the ladder truck out to assist with the bear. He has a feeling this may become a normal occurrence.

Mr. Bauer reported that they had a call come in as a jumper off the Bridgeboro Bridge. It turned out not to be a jumper but the individual was in the water. It is kind of alarming that this has happened two years in a row.

Mr. Bauer reported that the 1992 Seagrave out of the Chester Avenue Station will need to be replaced. They have been talking to the Bridge Commission over the last several months and they may be able to save some money on some of their older bonds that they have with them.

Mr. Schwartz – Mr. Schwartz stated that he is very happy to see that the Swedes Lake and Stewart Avenue flapper valve projects are moving forward.

Mr. Schwartz reported that Mrs. Kolodi has recently retired from her position as a teacher at Delran High School. He wanted to recognize her tonight for her contribution that she puts into the youth of this community. She is a great woman and has done wonderful things for the Veterans and children of this community.

Mr. Schwartz thanked Lona Pangia for all the projects that she has been working on from the mobile mammograms to the Farmers' Market going on outside tonight. It reminds him of the Delran he remembers years ago. He stated that the Mayor is the one that started the rebuilding of this community with the Delran Community Park, the Delran Business Association and the Delran Historical Society. That was really the catalyst for these types of projects and he wanted to thank him. He is really proud to serve with these people and very proud of Delran.

Mr. Morrow – Mr. Morrow reported that he noticed that residents are placing brush in the street and he reminded them to please keep them on the curbs. It can clog up our storm sewer during heavy rain.

Mr. Morrow wished everyone a nice 4th of July.

Mrs. Kolodi – Mrs. Kolodi complemented everyone involved with the finishing of Haines Mill Road.

Mrs. Kolodi thanked everyone for wishing her well on her retirement. It has been a pleasure serving the students of Delran High School. They are young people that give her great faith and hope in the future of this country and she told them when she left that she is leaving the country in their hands and they better take good care of it. It was an honor to work here in Delran and have a great summer.

Ms. Pangia – Ms. Pangia reported that we had the Eye Care Mobile hosted at the Fire Station on Chester Avenue last week and it was filled up. She thanked the Fire Department for the use of the parking lot and bathroom facilities.

Ms. Pangia reported that she has been working every day on the Farmers' Market. Many of the vendors are very happy and are asking that it be extended into September which is something we will discuss at an upcoming work session.

Ms. Pangia reported that the Fire Department will be hosting a 5K Run/Walk in September and they are looking for donations. During each Farmers' Market there will be bottled water supplied for a donation that will be given to the Fire Department for their event.

Ms. Pangia stated that she hopes everyone will enjoy their summer.

Mr. Catrambone – Mr. Catrambone reminded everyone that whenever possible to please mulch your grass instead of bagging it because it can save us money in tipping costs.

Mr. Catrambone stated that the new website went live and we are working on getting all the information up there.

Mr. Catrambone stated that all of the children looked forward to Mrs. Kolodi's class. It is a great testament to the fact that she is not only a great teacher but she connects with the students. In a totally ironic twist of fate, Patty is the most un-technological of anyone he has met and her co-workers bought her an iPad mini. He is looking forward to her progress in learning the iPad mini and expects monthly reports.

Mr. Paris – Mr. Paris congratulated Mrs. Kolodi on her retirement. His daughter was lucky enough to have her and she will be missed. She was not only a teacher, she was involved with the Veterans, held dog walks and fundraisers for those less fortunate. She will surely be missed.

Mr. Paris reported that he has been discussing with Council about getting young graduates involved in Delran.

Mr. Paris stated that we have a new Regional Director at the Governor's Office that has been very proactive. He assisted in getting the permit approved for the Stewart Avenue outfall. He met with him one on one today and he is there to help us. Mr. Paris stated that he has also been meeting with other towns to pursue shared services.

PUBLIC PORTION

Mrs. Kolodi made a motion, seconded by Ms. Pangia to open the meeting to the public for any questions. All were in favor, the motion was approved.

Richard Grockenberger, 84 Alden Avenue, asked about the permit for Stewart Avenue.

Mr. Hatcher stated that we should receive the permit within this week or next week.

Mr. Grockenberger asked whether we were replacing the valve at Norman Avenue.

Mr. Catrambone stated that we have inspected that valve and it is functioning properly.

Mr. Grockenberger stated that the grass at 73 Alden Avenue needs to be cut.

Mr. Catrambone stated that it was one of the properties included in the Resolution approved tonight.

Mary Parento, 25 S. Bridgeboro Street, stated that she was asking on behalf of Joe Parento, who is the Chairman of the RAC, as to where we stand on the discussion he had with Council several months ago about by-laws for the use of the fields after rain and use by Delran residents.

Al Marmero stated that he discussed this with Joe and some of the problems we have is who is going to be the person responsible for making the call and how much rain will have to fall before the field will be closed.

Mr. Catrambone asked that Mr. Marmero gather some information for Council and we can discuss this at an upcoming work session.

Mr. Catrambone reported that we have also named what is referred to as Myers Tract. The facility will be called Delran Community Park.

Mr. Paris stated that we will also be submitting for grant funds for the second phase of this project.

Mary McCauley, 820 Fordham Street, reported that the new website is lovely, but she just wanted to make sure that the e-mail function is working.

Mr. Catrambone stated that we did have an issue but it seemed to be with the e-mail provider but all seems to be fine now.

Greg Ertl, 108 Swedes Run Drive, discussed with Council the feral cat issue in his neighborhood.

Mr. Hatcher stated that there are volunteers with the BCTI throughout the neighborhood that help trap neuter and release the cats through a grant program.

Mr. Ertl stated that one of the properties is behind the Dunkin Donuts.

Mr. Morrow stated that this program is in place to try and reduce the colonies. The problem is that the property behind the Dunkin Donuts is Green Acres and this program cannot take place on that property. He can report any colonies to Mr. Hatcher.

Mr. Morrow made a motion to close the meeting to the public, seconded by Ms. Pangia. All were in favor, the motion was approved.

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

Submitted,

Jamey Eggers
Municipal Clerk