

**ACTION MEETING
MUNICIPAL BUILDING**

**July 13, 2011
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 on July 1, 2011 and posted on the bulletin board on the same date.

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

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

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2011-15**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF DELRAN,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, MORE
PARTICULARLY, ARTICLE XVI RELATING TO THE M-2 GENERAL
INDUSTRIAL AND COMMERCIAL ZONING DISTRICT, SPECIFICALLY,
ORDINANCE SECTIONS: 355-69; 355-70; AND 355-72, SO AS TO INCLUDE
MULTI-FAMILY RESIDENTIAL AS A PERMITTED PRINCIPAL USE IN M-2
(GENERAL INDUSTRIAL AND COMMERCIAL ZONING DISTRICT) ZONING
DISTRICT AND AMEND THE SUBJECT ORDINANCES REGULATING THE
OVERALL INTENT AN PURPOSE OF THE GOVERNING ORDINANCE, THE
AREA, BULK AND BUFFER SCHEDULE OF THE ZONE AND RELATED
PARKING**

Mrs. Reed 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., Mrs. Reed, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCES ON SECOND READING

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2011-9

**BOND ORDINANCE AUTHORIZING VARIOUS
IMPROVEMENTS TO CONROW AND HARTFORD
ROADS IN THE TOWNSHIP OF DELRAN;
APPROPRIATING THE SUM OF \$210,000
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 \$199,500; 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 \$210,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$199,500; and
- (c) a down payment in the amount of \$10,500 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 \$199,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,500, 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 \$199,500 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 \$199,500 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 \$50,000.

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>
----------------------------	---------------------------------	-------------------------	----------------------------------	---------------------------------

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Various improvements and upgrades to Conrow and Hartford Roads including, but not limited to, curb replacement and improvements, street widening, drainage improvements, repaving and mill overlay, together with the completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the Township Administrator	\$210,000	\$10,500	\$199,500	20 years

Section 8. 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 \$199,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 9. 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 10. 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 11. 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 12. 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 13. 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 14. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 15. 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. Catrambone made a motion to open the meeting to the public, seconded by Mrs. Reed. All were in favor, the motion was approved.

Pat Pomeranz, 21 Alden Avenue asked where we stand with the DEP permits for this project.

Jim Winckowski, CME Associates, stated that they are working on the construction plan and once that is completed, they will know the exact area of the wetlands that need to be disturbed in order to complete the application. Once the application is submitted, it is about four to six months to receive the permit.

Pat Pomeranz asked if we could be denied the permit.

Jim Winckowski stated that if we meet all the conditions we are entitled to receive the permit. He is confident that we will meet the conditions.

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

Mr. Catrambone made a motion, seconded by Mrs. Reed 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

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2011-10

**ORDINANCE OF THE TOWNSHIP OF DELRAN,
COUNTY OF BURLINGTON, NEW JERSEY,
CANCELLING CERTAIN FUNDED
APPROPRIATION BALANCES HERETOFORE
PROVIDED FOR VARIOUS CAPITAL PROJECTS
AND REAPPROPRIATING SUCH FUNDED**

**APPROPRIATION BALANCES FOR OTHER
CAPITAL PROJECTS**

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey ("Township") (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 following appropriations remaining as balances in Bond Ordinances 1996-4, 1996-12, 1997-10, 1998-5, 1999-6, 1999-7, 2000-4, 2000-6, 2000-8, 2000-9, 2000-14, 2001-5, 2001-6, 2001-7, 2002-1, 2002-2, 2002-3, 2002-10, 2003-16, 2003-17, 2004-7, 2004-8, 2005-18, 2006-12 and 2007-17 (collectively, the "Bond Ordinances") heretofore adopted by the Township Council are hereby cancelled:

<u>Ordinance</u>	<u>Amount of Funded Appropriation to be Cancelled</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
1996-4	\$629.24	\$0
1996-12	5,912.00	0
1997-10	19,325.17	0
1998-5	1,388.84	0
1999-6	92.00	0
1999-7	2,005.00	0
2000-4	10,662.03	0
2000-6	4,282.89	0
2000-8	7,650.00	0
2000-9	22,725.91	0
2000-14	2,030.46	0
2001-5	32,883.93	0
2001-6	24,995.60	0
2001-7	21,988.90	0
2002-1	484.79	0
2002-2	291.80	0
<u>Ordinance</u>	<u>Amount of Funded Appropriation to be Cancelled</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
2002-3	\$39,800.00	\$0
2002-10	6,864.51	0
2003-16	1,257.70	0
2003-17	15,240.81	0
2004-7	1,277.60	0
2004-8	78,811.55	0
2005-18	19,890.56	0
2006-12	44,419.95	0
2007-17	294,413.63	0

Section 2. The sum of \$659,324.87, which represents the funded appropriations cancelled in Section 1 hereof, is hereby reappropriated from the Bond Ordinances for the following purposes: (i) acquisition of four wheel drive vehicle for the Township Police Department in the amount of \$45,000; (ii) acquisition and installation of replacement in-car computers for Township Police Department in the amount of \$24,500; (iii) acquisition of various pieces of capital equipment for the Township Public Works Department in the amount of \$40,000; (iv) acquisition of a pick-up truck with plow spreader for the Public Works Department in the amount of \$36,000; (v) acquisition of equipment for Township Department of Parks and Recreation in the amount of \$10,000; (vi) installation of well at Notre Dame Athletic Fields in the amount of \$26,000; (vii) improvements to the Township Municipal Building in the amount of \$30,000; (viii) repair and replacement of storm sewer along Janeway Avenue in the Township in the amount of \$65,000; (ix) reconstruction and repaving of Third Street from Chester Avenue to Brown Street in the amount of \$317,000;

and (x) reconstruction and repaving of Parry Road from the Township of Cinnaminson border to Tenby Drive in the amount of \$65,824.87, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.

Section 3. The remaining funded appropriation balances as authorized by the Bond Ordinances shall be unaffected by this ordinance and shall remain available for the uses set forth therein.

Section 4. The average period of usefulness of the purposes referred to in Section 2, within the limitations of the Local Bond Law and according to the reasonable lives thereof, is not less than 15.32 years.

Section 5. The Capital Budget is hereby amended to conform with the provisions of this 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 City Clerk and available for inspection.

Section 6. The improvements authorized hereby are not current expenses and are general 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 7. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

There were no comments.

Mrs. Reed made a motion to close the meeting to the public, seconded by Mrs. Kolodi. All were in favor, the motion was approved.

Mrs. Reed made a motion, seconded by Mrs. Kolodi 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

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2011-11

BOND ORDINANCE AUTHORIZING VARIOUS ROADWAY IMPROVEMENT IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$600,200 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 \$570,190; 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 \$600,200;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$570,190; and
- (c) a down payment in the amount of \$30,010 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 \$570,190, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$30,010, 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 \$570,190 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 \$570,190 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 \$115,000.

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>
-----------------------------------	--	--------------------------------	---	--

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and Repaving of Parry Road from the Township of Cinnaminson Border to Tenby Chase Drive, together with the completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the Township Administrator	\$140,200	\$7,010	\$133,190	15 years
B. Reconstruction Swedes Run Drive, together with the completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the Township Administrator	460,000	23,000	437,000	15 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 15 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 \$570,190 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. Catrambone made a motion to open the meeting to the public, seconded by Mrs. Reed. All were in favor, the motion was approved.

Pat Pomeranz asked if Council decided on the whether they were going to try to complete Swedes Run or Brown Street.

Mr. Morrow stated that we are holding off on Brown Street and decided to complete as much of Swedes Run Drive as can be completed with the funding available.

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

Mrs. Reed made a motion, seconded by Mrs. Kolodi 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

**TOWNSHIP OF DELRAN
ORDINANCE 2011- 12**

**ORDINANCE OF THE TOWNSHIP OF DELRAN TO REVISE AND AMEND
ORDINANCE 2011-6 TO MAKE ESTABLISHMENT OF FEES FOR SANITARY
SEWERAGE SERVICE RETROACTIVE TO JANUARY 1, 2011**

WHEREAS, the Mayor and Township Council of Delran Township (the “Township”) have dissolved the Delran Sewerage Authority and have now created the Delran Sewer Department; and

WHEREAS, after creation of the Delran Sewer Department, it was necessary for the Township to establish fees for sanitary sewerage service (“Sewer Fees”) to be charged by the Delran Sewer Department; and

WHEREAS, in Ordinance 2011-6, adopted by the Township on April 6, 2011, the Township amended Chapter 150 of the Code of Delran Township and established Sewer Fees; and

WHEREAS, by its language, Ordinance 2011-6 was made effective immediately upon its adoption on April 6, 2011; and

WHEREAS, the Township has determined that as the Delran Sewerage Authority was dissolved, and any fees associated with the Delran Sewerage Authority were made obsolete, and as the Delran Sewer Department’s billing cycle is from January 1 to December 31, it is necessary to make Ordinance 2011-6 retroactive to be effective starting January 1, 2011; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Council of Delran Township that Ordinance 2011-6 is hereby amended so that the effective date shall now be January 1, 2011; and

1) All ordinances of the Township of Delran which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency; and

2) Any subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid in any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance; and

3) This Ordinance shall take effect upon final passage, approval, and publication, as required by law;

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

Pat Pomeranz asked what this ordinance means.

Mr. Hatcher stated that the previous rate ordinance, adopted in April, stated that it should take affect immediately and it should have read retroactive to January 1, 2011.

Pat Pomeranz asked if they were going to back bill the residents.

Mr. Hatcher stated that the residents were billed correctly.

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

Mr. Schwartz made a motion, seconded by Mrs. Kolodi 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

**TOWNSHIP OF DELRAN
ORDINANCE 2011- 14**

ORDINANCE OF THE TOWNSHIP OF DELRAN TO REVISE AND AMEND ORDINANCE 2011-2 AN ORDINANCE AMENDING PART I, CHAPTER 12 OF THE CODE OF THE TOWNSHIP OF DELRAN, ENTITLED “TRAFFIC,” TO ALLOW FOR THE INSTALLATION AND ENFORCEMENT OF STOP SIGNS AT THE INTERSECTION OF WILLS STREET AND KAUDERER AVENUE

WHEREAS, Delran Township’s Township Engineer has conducted a warrant analysis and recommend the use of stop signs at the intersection of Wills Street and Kauderer Avenue, with the stop signs specifically being placed on Kauderer Avenue from both approaches; and

WHEREAS, the Mayor and Township Council of Delran find it to be in the best interest of Delran Township to authorize the enforcement of the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey at stop signs to be located at the intersection of Wills Street and Kauderer Avenue within the Township; and

WHEREAS, the Mayor and Township Council of Delran find it to be in the best interest of Delran Township to authorize the installation of stop signs at both approaches of the intersection on Kauderer Avenue, in accordance with the warrant analysis from the Township Engineer; 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 12 of the Code of Delran Township shall be amended as follows:

Section 1: Schedule X, entitled “Stop Intersections” and which is attached to §12-5 of the Code of Delran Township is hereby amended to now include the following intersection:

Stop Intersections

Stop Signs on

Wills Street and Kauderer Avenue [Added July 13, 2011 by Ord. No. 2011-14]

Kauderer Avenue

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.

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

There were no comments.

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

Mr. Schwartz made a motion, seconded by Mrs. Reed 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

RESOLUTIONS ON CONSENT AGENDA

Resolution 2011-81 Authorizing a closed session to discuss the TAR litigation, and contract negotiations.

Resolution 2011-82 Resolution of the Township of Delran authorizing the Township of Delran Planning Board to undertake an investigation and hold a public hearing to determine whether certain areas of Delran Township are in need of redevelopment as defined in N.J.S.A. 40A:12A-1 et seq.

Mrs. Reed made a motion, seconded by Mr. Catrambone to adopt the above Resolutions. There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

Mrs. Reed made a motion to appoint the following members to the Planning Board.

Henry Singer as a Class 4 Member for a term to expire 12/31/14
Paul Cathel as a Class 4 Member for a term to expire 12/31/14
Randy Belin as Alternate 2 for a term to expire 12/31/12

The motion was seconded by Mrs. Kolodi

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mrs. Reed, 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