

**WORK SESSION  
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

**RENTAL PROPERTIES**

Mr. Paris stated that he asked to put this on the agenda to discuss rental properties in town that have out of state owners who have real estate agents managing the properties. Mr. Paris asked whom we can hold accountable for the property if they are running a business or have too many people living in the home.

Mr. Long stated that there could be ordinance violations for running a business and they could also be violating the code based on the number of residents living in the dwelling.

Mr. McCurley, Construction Official, stated that it is a problem determining how many people reside in the home. We have no lawful way to enter the premises to determine the number and even if we were to enter into the residence, they may not be truthful.

Mr. Paris stated that the police and the fire department have both been out to the property on Dickens Drive.

Rich Maerten, 222 Dickens Drive, who lives right next to the property in question, stated that the residents a month or so ago drained oil right into the street. He went to speak to them but they could care less. He also stated that they are running a business right out of their garage.

Mr. McCurley stated that he needs documentation that they are doing business there, such as a flyer or an advertisement.

Joyce Kelly, Dickens Drive stated that she has witnessed them load flooring into the vehicles from the garage. She also mentioned that all the vehicles are registered in Pennsylvania.

Chief Parente stated that there is only one vehicle that is parked there overnight and it is registered to a commercial business in Pennsylvania, which they are allowed to do. He

also stated that the personal vehicles are a different story and they have been issued a summons for that issue and also the issue with dumping oil in the street.

Mr. Maerten stated that he has been in contact with the owner of the property discussing the issue but the owner is not willing to do anything. He stated that when an officer came to the house and asked who lived there they all stated that they were just visiting.

Mr. Long stated that there is no issue with the commercial vehicle if it is legally registered in Pennsylvania. We have the sixty day residency law that would affect the personal vehicles.

Joyce Kelly stated that she was told that only one commercial vehicle is permitted between the hours of 10 P.M. and 6 A.M.

Mr. Long stated that is correct but a lot of this falls onto the residents to notify the police when this happens.

Mr. Maerten asked Council to determine the definition of an absentee landlord.

Mr. Long stated that we do not have a definition at this time.

Mr. Paris stated that this seems to be an issue happening in other areas of town where people are beginning to rent out their homes.

Mr. Catrambone asked what Council can do to in terms of an ordinance to help this issue.

Mr. Long stated that many municipalities have ordinances that require an inspection of a rental property every time a tenant changes; however, that doesn't always fix the problem. Mr. Long will take the information he received tonight and try to determine if there is anything Council can do to help the situation. He also recommended that the residents provide any proof that they can to the Township for any ordinance violations. Mr. Long will report back to Council on this issue.

Mr. Maerten stated that he will take pictures and e-mail them to the Township when he sees the vehicles.

Mr. Paris asked if we could periodically have an officer drive by the property.

Chief Parente stated that he had an officer drive by last week and found no violations regarding commercial vehicles.

Joyce Kelly stated that since Sunday night there have been three commercial vans at the property when they wake up in the morning.

Chief Parente will have an officer drive by early in the morning to see if there are any violations.

Joyce Kelly stated that maybe if we could go after the owner of the property they would do something.

Mr. Morrow recommended that the residents keep the pressure on the homeowner of the property.

Mr. Long will report back on this issue at a future work session.

Mr. Morrow stated that we will try and work through this but there are a lot of privacy issues that we need to watch out for.

Pat Pomeranz asked if the Township can have an ordinance holding the homeowner responsible for the issues at the property.

Mr. McCurley stated that the homeowner and tenant are already jointly responsible for property maintenance issues.

Mr. Long stated that we can not hold the homeowner responsible for other individual violations by the tenants.

Mr. Morrow stated that we will place this issue on the work session agenda in August.

### **REQUEST FROM WAWA FOR USE OF COMMUNITY ROOM**

Mr. Hatcher stated that they had a request from Wawa for the use of the community room for meetings. Council has always had a policy that only non-profit Township organizations are permitted to use the rooms.

Mr. Catrambone made a motion to deny the request from Wawa for the use of the community room. The motion was seconded by Mr. Schwartz. All were in favor, motion approved.

Mr. Long stated that Council can have a discussion on their actual desire for the use of the community room.

### **TREE ON GREEN ACRES SITE**

Mr. Hatcher stated that we have a tree on the creek that is leaning over and the residents had some concerns about the tree falling. Mr. DeSanto, Public Works Superintendent, went out and inspected the tree and does not feel it is in danger of falling. The resident still had concerns so we sent a tree expert out to inspect the tree and they found the tree to be healthy and shows no signs of falling over. If Council agrees, he will reach out to the resident and let them know that we are not doing anything at this time. We will keep an eye on the tree moving forward.

Mrs. Reed made a motion that Council rely on the recommendation of the tree expert and not remove the tree located behind 50 Cornell Drive and that we continue to monitor the tree after heavy storms. The motion was seconded by Mrs. Kolodi. All were in favor, motion approved.

### **2010 AUDIT**

Mr. Hatcher stated that everyone received a copy of the 2010 Audit. The main concerns were with the segregation of duties which will be corrected once we hire the new Chief Financial Officer and Tax Collector. Mr. Hatcher stated that Council will need to at a minimum review the comments and recommendations in the audit and we will adopt a resolution at the public meeting. We will also adopt a resolution for the corrective action plan.

Mrs. Reed asked if Council could continue to review the action plans for the next three quarters to make sure that we are keeping on track.

Mrs. Kolodi asked if we now have enough personnel to correct these issues in the audit. Mr. Hatcher stated yes.

### **GREEN ACRES AGREEMENT**

Mr. Hatcher stated that we need to have the Mayor, Solicitor and Clerk to sign off on the agreement for the reimbursement for the Myers Tract funding. Mr. Hatcher asked if Council could adopt a resolution tonight authorizing the signatures. Mr. Hatcher stated that we will also need to draft a letter asking that two properties, that are not owned by the Township be removed from the Green Acres inventory list. Council agreed to adopt the resolution tonight and Mr. Long will draft the letter

### **TOWNSHIP OF DELRAN RESOLUTION 2011-83**

**BE IT RESOLVED** by the Township Council of the Township of Delran that the Township Council hereby approves the Amendment to the Green Acres Project Agreement between the State of New Jersey Department of Environmental Protection and the Township of Delran; and

**BE IT FURTHER RESOLVED** that the Township Council hereby authorizes the Mayor to execute the agreement on behalf of the Township of Delran.

Mrs. Reed made a motion to adopt Resolution 2011-83, seconded by Mrs. Kolodi.

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

### **DOONEY'S PUB & GRILL SEWER APPROVAL**

Mr. Winckowski stated that we asked the owner to provide the Township additional information on the maintenance of the internal grease trap. The owner has submitted the information and at this time, provided that the connection fee is paid they recommend that the connection be granted.

Mr. Long stated that if there is a failure of the internal grease trap they will indemnify the Township through the waiver of the external grease trap.

Mrs. Reed asked if the waiver and agreement with the current owner will continue if the restaurant changes hands.

Mr. Long stated that if they do not change anything with the restaurant then the waiver and agreement would continue. Mr. Long asked that we put procedures in place so that this does not happen again. Council will place this on a future work session.

### **ADMINISTRATIVE AGENT FOR RENTAL UNITS**

Mr. Long stated that the Administrative Agent will work together with the COAH Planner and wanted to make Council to be aware that they should be two different individuals. This will prevent any conflicts from happening. The request for proposals will be in the newspaper as soon as possible and Council will discuss this at the next work session.

### **STREET AND SIDEWALK ORDINANCE**

Mr. Hatcher stated that there are few changes from the current ordinance. The major change is that the responsibility of repairing the street will fall on the applicant and not the Township. Once the area of the opening is over a certain amount, the Engineer will now be performing the inspections. This ordinance will be introduced at the public meeting.

### **SEWER BILL DISPUTES**

Mr. Hatcher stated that we have three sewer bill disputes to go over. The way the ordinance reads is that if there is a problem with the bill you must dispute it within the first quarter, so these three should be the last.

The recommendation on the first one, 24 Cranberry Lane, is to reduce the usage to 17,000 gallons. There was an estimated reading that caused an increase in the usage calculation. This would be a difference of \$35 per quarter. Council agreed.

The recommendation on the second request from 38 Millers Run is to reduce the usage to 12,000 gallons. There was an estimated December 2009 bill and the overage showed in the 2010 January water bill, which affected the 2011 sewer bill. This would decrease the bill from \$147.75 to \$112.75 per quarter. Council agreed.

The last one, for 4323 Bridgeboro Road, is a little different because there was vandalism at the property. The owner has provided proof of the vandalism and based on the information provided he recommends we reduce the quarterly bill from \$332.75 to \$152.75. Council agreed.

A resolution will be adopted at the public meeting to approve the adjustments.

## **REPORTS**

**Mr. Hatcher** – Mr. Hatcher stated that every year Council provides funding for Boys State and Girls state. He read a thank you letter from the student that attended the Boys State program.

Mr. Hatcher stated that we would have a resolution adopted at the public meeting for the sharing of GIS data with the County. Council agreed.

Mr. Hatcher stated that Tom Davis, Tax Assessor, has been in contact with the state regarding the reassessment program. The County has endorsed our plan and he believe the State will give the Township approval provided we inspect a certain number of properties. He will report back on this issue at a future meeting once we have more information.

Mr. Hatcher stated that when the budget was adopted Council approved the hiring of an additional employee in the Public Works Department. What we have done temporarily is hire two sixty day employees and help get us through vacations.

Mr. Hatcher stated that we are having an ongoing issue with people driving on the athletic fields. He believes Council agreed that they did not want vehicles driving on the fields. We began discussing this with the Summerhill fields but it is now happening on other fields. Mr. Hatcher stated that it causes damage and it is dangerous. Mr. Hatcher stated that he wanted to make sure Council was okay with the police spreading the word because they may hear some complaints. Council agreed.

## **ENIGINEER**

Mr. Winckowski updated Council on the Yansick and Moreland Drive project. He stated that the base work is completed and they are waiting on the top course. The contractor

notified them late of a problem with the base course and they are in the process of having the road cored to determine what the actual compaction is and how it relates to the specifications in the contract. Once we receive the report from the core samples, we will be able to address the issue.

Mr. Paris asked that they provide a notice to the residents that there is a slight delay in the project.

Mr. Catrambone asked is the access road to Holy Cross has been included in the project.

Mr. Winckowski stated that we notified the contractor and it should be included.

Mr. Schwartz stated that at the last work, session Mr. Valesi stated that he was going to reach out to the Army Corp of Engineer's to discuss the flooding along the river and he asked if there is any update.

Mr. Winckowski stated that there is a potential grant that we are looking into applying for, to provide some improvements to the area.

Mrs. Reed stated that Riverside Township is also applying for that grant.

Mr. Winckowski asked if we are okay to move forward with the road program. Mr. Hatcher stated that we can move forward once the twenty days has expired.

Mr. Winckowski stated that we received a new application for the DEP for Westover Drive storm drain replacements.

Mr. Winckowski asked if Council would like him to do over the concept plan for the Myers Tract. Council agreed.

Mr. Winckowski stated that we need to design the entire parcel in order to phase the park out. What they envision for Phase I is the infrastructure to access the fields, the one 150 foot baseball field with the synthetic turf and the parking lot. We will also plan to grade out the remaining fields so that they are useable.

Mrs. Reed asked if he could discuss a little bit about the traffic since there is only one road in and one road out.

Mr. Winckowski stated that the road will be wide enough for two way traffic. With the frontage, that we have available there is only room for one entrance. We will be making Hartford Road wide enough to make sure that people can turn in and out of the development.

Mr. Catrambone asked if we have any liability to having the fields without any fencing.

Mr. Winckowski stated that we should have a back stop but the fencing down the lines, he does not feel we need it in the first phase.

Mrs. Kolodi asked that we also consider an area for seniors.

Mr. Paris stated that he was trying to work with the County on Anderson Farms.

Mr. Winckowski stated that they will begin the preliminary design and meet with the sub-committee to discuss the layout of the fields to be included in Phase I.

Mr. Hatcher stated that we will need to introduce a bond ordinance to fund this project through the Open Space funds and the grant at the public meeting.

Jerry Harris, CME Associates, discussed with Council the capital improvements for the Sewer Department. He stated that they have narrowed it down to three priority projects. They are the sludge conveyor/building enclosure, improvements to grit removal facility and the addition of screening facilities. He stated that these areas are already causing maintenance issues at the plant. If all these projects were to be completed the estimated cost would be \$750,000. He understands that the Township may only have approximately \$450,000 for capital improvement for the Sewer Plant. Mr. Harris stated that he understands Council had some questions for the building enclosure for the conveyor. They feel the permanent building enclosure is more for the working conditions and the protection of the workers more than preserving the conveyor.

Mr. Paris asked what the priorities should be.

Mr. Harris stated that the conveyor should be first and we could put the temporary structure back up. Second should be a grit removal and then the screening facility if we can fit it in the budget. He suggested that they present a more concrete proposal for Council to review.

**Mr. DeSanto** – Mr. DeSanto stated that the County is getting ready to order new recycling carts. We have about 525 carts remaining to finish the townhouses. The cost would be \$12,337, which they spread out over six years. Council agreed to continue with the recycling carts.

**Mrs. Reed** – Mrs. Reed stated that she sent a letter to Purina to request a \$5,000 grant for the feral cat program and she will follow up with them in a few weeks.

Mrs. Reed stated that residents are complaining about speeding through Grande Blvd.

Mr. Parente stated that we do not have Title 39 jurisdiction on the roads.

Mr. Long stated that the roads have not been conveyed to the township.

Mrs. Reed asked if we could put up the flashing speed limit signs to try and calm traffic.

Mr. Parente stated that he will put out the speed radar sign for a few days.

Mrs. Reed asked if we could request the State to reconsider our 2011 Safe Streets to Transit grant application and use the fact that there is a State group home with a handicap resident that uses Fairview Street to get to the highway to catch the bus.

Mr. Winckowski stated that we can either wait for the 2012 applications or send a letter asking for discretionary funding. He feels that we have a better shot at the 2012 funding.

Council agreed that they would like the Engineer to at least send a letter asking for reconsideration.

Mrs. Reed stated that during the walk through of the police department, a flag was discovered in the evidence room and she felt it should be shared with the residents. As a group effort she suggested we contact the Delran Business Association to donate towards the framing of the flag; however, the Mayor had already contacted the professionals to provide the funding for the framing. She contacted Mal Anderson, the President of the Historical Society to notify him of the flag and told him it was signed by Fred Wolfe the unofficial historian of the Township before his death. They were hoping to reach out to Mr. Wolfe's family to discover the origin of the flag. The intent was to always hang the flag in the lobby of the municipal building. She would like to apologize for the animosity this issue has caused it was never her intent to force the Mayor to make a decision on such a small issue.

**Mr. Catrambone** – Mr. Catrambone stated that he received an e-mail, which he forwarded to Mr. Hatcher, regarding some issues at Notre Dame Park.

Mr. DeSanto stated that he did place new trash cans out there and also recycling bins.

Mr. Hatcher stated that they will also try to identify the organizations that used the fields on the weekend she had the issue.

Mr. Catrambone stated that he is still working on moving the website hosting to Network Solutions which is already the company that host our e-mails. If anyone mentions that the website is running a little slow, we are working on it.

Mr. Paris asked if we can remove the ability for residents to e-mail [info@delrantownship.org](mailto:info@delrantownship.org).

Mr. Catrambone stated that most websites have the ability to have a general mailbox.

Mr. Paris asked if Mr. Hatcher is receiving the e-mails.

Mr. Catrambone stated that Mr. Hatcher does receive the e-mails and Council also decided that they could be on the distribution list.

Mr. Paris stated that if any e-mails come to him through [info@delrantownship.org](mailto:info@delrantownship.org) that they just be forwarded to him and that no one responds.

Mr. Catrambone feels that all of Council should see the e-mails that come through the general e-mail.

Mr. Morrow stated that Mr. Paris just does not want everyone responding to the e-mails and the residents getting five different responses.

Mrs. Reed stated that she feels the reason that all e-mails should be seen by Council is because when the e-mail came through on Dickens Drive and it was addressed to Mayor and Council and the Mayor was out of town so she responded.

Mr. Paris stated that he just does not want everyone responding to the same e-mail.

Mr. Catrambone stated that he feels it is a good thing if a resident is reached out to by all of Council.

Mr. Morrow recommended that if an e-mail comes to Mayor and Council and it concerns a particular ward that we reach out and see if they have responded.

Mr. Hatcher stated that Council need to be very careful when communicating by e-mail that they do not violate the Open Public Meetings Act.

Council agreed that if an e-mail comes to the Mayor and is copied to Council, then the Mayor will be the one to respond. Same goes if an e-mail is directed to a Council member and copied to all other members of Council and the Mayor, then the main person will respond.

**Mr. Schwartz** – Mr. Schwartz stated that he has been getting a lot of compliments about the Public Works Department.

Mr. Schwartz thanked everyone for their support, he is going through a very serious surgery this week.

**Mr. Paris** – Mr. Paris stated that the manager at Beneficial Bank reached out to him and they will be meeting to discuss some things that they can do better for the Township. He would like to try and get them to include the ability to pay with credit cards.

Mr. Paris stated that he will also be meeting with the new Superintendent at the School.

Mr. Paris stated that we will need to decide if anything we would want to do for Carli Lloyd if America should win the World Cup.

Council agreed that since they did the big parade for the Olympic win they do not feel it is appropriate to do again. They will invite her to Delran Day.

**Mr. Morrow** – Mr. Morrow had no report.

**PUBLIC PORTION**

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

There were no comments.

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

Mr. Catrambone made a motion to enter into closed session for discussion on TAR litigation and a contract issue, seconded by Mrs. Reed. All were in favor, motion approved.

Mr. Catrambone 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