

**WORK SESSION  
MUNICIPAL BUILDING**

**August 26, 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, Mr. Schwartz, Mr. Morrow and Mr. Catrambone were present. Mrs. Kolodi was absent.

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

**COOPERATIVE PURCHASING AGREEMENT**

Mr. Catrambone reported that Mr. Hatcher provided a recommendation to move forward with the Cooperative Purchasing Agreement with the County. We often utilize this agreement to purchase salt and other items when it gives us the most beneficial price.

Ms. Eggers stated that if Council agrees, we will place a resolution on the next agenda for approval. Council agreed.

**NJAW TEMPORARY CONSTRUCTION EASEMENT**

Mr. Winckowski stated that there is an existing water main owned by NJAW that crosses Route 130 between Haines Mill Road and the jug handle at Chester Avenue that needs to be replaced. The way that they intend to replace the pipe is to put a new pipe through the existing pipe. They will need to dig down on end of the pipe which will require a temporary easement from McDonald's and the Township. They are also requesting a staging area for their equipment. There may be some tree removal needed. One issue that came up is that this property is on the Green Acres Inventory and we would need to make sure that we would be able to issue the easement. Mr. Winckowski stated that his recommendation is that since the need is there we approve the temporary easement and the only questions is whether we want to ask for a bond to ensure that the property will be restored.

Mr. Paris stated that he feels we should request a bond.

Mr. Catrambone stated that requesting a bond makes sense. He asked whether they would be disturbing traffic along Route 130.

Mr. Winckowski stated that it is possible, there is a limited shoulder in the area but he does not have that answer.

Ms. Pangia suggested that they not be performing the work during school hours.

Mr. Winckowski stated that the DOT will dictate the work hours, since it is their road.

Mr. Schwartz asked if this could be done through an agreement and not an easement.

Mr. Winckowski stated that he questioned that request himself. It may have to be done through an agreement if there are Green Acres issues.

Mr. Morrow stated that as long as all the paperwork is in order and we receive a bond, he does not feel there is an issue.

Mr. Winckowski stated that if Council agrees with easement he will work with the Attorney and once they have the language together, they will come back to Council for final approval.

### **PURCHASE OF TWO HOOK LIFT TRUCKS**

Mr. Catrambone reported that we budgeted \$410,000 for the purchase of the trucks and the low bid came in at \$429,892.

Ms. Eggers stated that Mr. DeSanto will be reviewing the bid specifications to determine if any items can be removed. There was also a question of whether a performance bond is required.

Mr. O'Donnell stated that he will look into the bond requirement.

Ms. Eggers stated that at the public meeting, we would like to place a resolution on the agenda to reject the bid and authorize the re-bid. Council agreed.

### **PUBLIC WORKS AUCTION**

Mr. Catrambone stated Mr. DeSanto would like to auction equipment on govdeals.com. We would need to authorize a resolution at the public meeting. Unless Council has any objection, we would move this forward. Council agreed.

### **RESOLUTION FROM ZONING BOARD – SIMON & SCHUSTER**

Mr. Catrambone stated that we received a Resolution from the Zoning Board asking the Council's help in encouraging the employees to park on-site to not negatively impact the neighborhood. He asked if anyone had any suggestions other than meeting with the company.

Mr. Morrow stated that he understand the Zoning Board gave them approval for the expansion and it is his understanding that the parking was addressed and they will be adding additional parking. It is really hard to keep cars off of public streets.

Mr. Paris stated that they have been cooperative in the past and it would not be a bad idea to reach out to them.

Mr. Schwartz stated that one of the issue is that some years ago permit parking signs were put up but there was no ordinance enforcing this so there is some confusion with the residents.

Mr. O'Donnell stated that if permit parking is the route that Council wanted to go they could draft an ordinance to enforce that requirement.

Mr. Catrambone stated that they also asked us to look into parking along Front Street.

Mr. Winckowski stated that they are not in all cases parking legally along Front Street. They are parking on the grass areas. He has spoken with their Traffic Engineer and they will be adding additional parking with the expansion but the issue not that there is not enough parking it is that with the location of the entrance it is easier for the employees to park along Front Street.

Mr. Morrow stated that maybe we can get them to open up another entrance.

Mr. Winckowski stated that at this point they have only received a use variance approval. They will need to come back in for site plan approval. During the traffic review he will make sure to mention adding the additional entrance. Mr. Winckowski will reach out to their Traffic Engineer to set up a meeting with them.

### **RESOLUTION - 109 FOXGLOVE DRIVE**

Mr. Catrambone stated that with this resolution we are asking the NJ Housing and Mortgage Finance Agency to list this property for sale.

Mr. O'Donnell stated that is correct. Previously that was a tenant in the property and they have since vacated the premise so therefore we are ready to list the property for sale. The NJ Housing and Mortgage Finance Agency would handle the sale.

Council agreed and we will adopt a Resolution at the next meeting.

### **REPORTS**

**Ms. Eggers** – No report.

Mr. Schwartz stated that before we move on he has a question for Ms. Eggers. It is his understanding that there is an OPRA request that has been submitted directly asking for personal information of a Council member that is open at this time.

Ms. Eggers stated that she has received a request.

Ms. Schwartz stated that he believes that there may be some question as far as the validity of the request and a conflict with our current Solicitor who would provide guidance in determining whether it is a valid request. He believes Council should assign a special council to make that determination.

Mr. Catrambone stated that we have various Attorney's that serve on other boards that could help us with that request.

Mr. Schwartz stated that he assumes that there is a timeframe with this request.

Ms. Eggers stated that there is a timeframe regarding the response on any OPRA request. Ms. Eggers stated that normally she handles all requests and they would not be forwarded to the Attorney but she would need to know more information regarding the question of validity.

Mr. O'Donnell stated that he has handled many requests and there is a set number of exemptions that are set statutorily.

Ms. Eggers requested that she be able to talk directly with Mr. Schwartz to gather more information and understand the reasons we would need to get an Attorney involved. She stated that she needs to understand why there is a question of validity.

Ms. Catrambone stated that he feels that the best way to handle this is for Mr. Schwartz to talk with Ms. Eggers. If after discussion we feel we need to get an Attorney involved, Mr. Catrambone asked what Mr. Schwartz would suggest.

Mr. Schwartz stated that there is a state list of Attorneys that specialize in OPRA.

Ms. Pangia recommended that we refer the questions to the NJ League of Municipalities.

Mr. O'Donnell stated that he will look into the procedure for getting a conflict Attorney once they determine if it is necessary.

Mr. Paris stated that he feels we need our Attorney to direct us.

Ms. Pangia stated that they are involved in the matter. The individual that made the request is related to a member of the firm.

Ms. Eggers stated that does not disqualify an individual from making a request.

Ms. Pangia stated that is why she would like a legal opinion and it does disqualify our current attorney.

Mr. O'Donnell stated that he can advise on OPRA generally and any citizen is allowed it make a request. It comes down to the information they are asking for and whether it is a public document or not. That should be the only determination.

Ms. Eggers stated she can e-mail the Government Records Council on this issue but feels that their answer will be same as hers that the validity of the requestor is never is question unless possibly the person believe to have given a fake name.

Mr. Schwartz stated that he would be happy to discuss this with Ms. Eggers.

Mr. Catrambone recommended that Ms. Eggers reach out to the Government Records Council to determine the validity of the request. If the request if deemed valid, she should proceed as normal. If it is deemed invalid, then there would be a reason for her to hold up the response.

Ms. Pangia asked if when an OPRA request comes in for personal information, if Council is made aware.

Ms. Eggers stated that she does not notify the individual involved regarding that an OPRA request has been submitted.

Mr. Catrambone stated that Ms. Eggers should follow that recommendation as requested by first reaching out to the Government Records Council and proceeding from there.

Mr. Schwartz asked that Ms. Eggers notify them of the response.

**Mr. Winckowski** – Mr. Winckowski stated that he had a meeting last night with the Mayor and the AA to go over the overall vision for Delran Community Park. There are a few issues that they brought up that we need to have the contractor address. Other things that we discussed were plans for batting cages and warm-up mounds. We also discussed the location of the future bathrooms and tot lot. It was a productive meeting and we received a lot of information.

Mr. Winckowski stated that we reached out to the NJDOT Local Aid Department to ask if we were permitted to use the grant funds from the Route 130 sidewalk project to finish the Fairview Street sidewalk and we were told no. He is working with Mr. Hatcher to look at other funding options to finish the Fairview Street sidewalks.

Mr. Winckowski reported that the County is working on a storm sewer project on Chester Avenue and they never reached out the Township prior to the start of the project. They encountered two sewer laterals that cut through the storm sewer pipe. This is part of the sewer system that runs

to Riverside. He discussed this this with the Attorney they do not feel we should get involved with having the residents relocate the pipes. This should be between the County and Riverside.

Mr. Morrow asked about the relocation of the telephone poles on Fairview Street.

Mr. Winckowski stated that the contractor has been giving them a difficult time with paying PSE&G so we have decided to remove that amount from their contract and pay PSE&G directly. Council approved that payment tonight. They should be out within a few weeks.

**Mr. O'Donnell** – Mr. O'Donnell stated that he has done some research on municipalities that have ordinance regarding Christmas Tree Mercantile Licenses. Five municipalities in NJ have them and they vary in the requirements. He would like Council's input before they move forward with this. The lowest fee they have seen is \$25.00 and the highest is \$250.00. Most set the license period for a certain time.

Mr. Paris recommended that we have Mr. Hatcher look at other Township and determine what the average is and make a recommendation.

Mr. Catrambone stated we will wait to see what the recommendation is from Mr. Hatcher. It seems like we are all in agreement to move forward as long as it makes financial sense.

**Ms. Pangia** – Ms. Pangia stated that she has nothing to report other than it is Women's Equality Day and we are breaking through ceilings every day.

**Mr. Morrow** – Mr. Morrow reported that the Shopping center on Fairview is coming along nicely.

Mr. Morrow stated that we discussed pedestrian crossings along Route 130. He asked if there is any way we can get them to look at the crosswalks at Fairview Street and Route 130.

Mr. Winckowski stated that the three crosswalks at an intersection is very common. When we addresses the issue regarding the median at Fairview Blvd. he can ask them about adding a fourth crosswalk.

Mr. Morrow stated that he would like the Mayor and Council to continue to push this issue.

Mr. Catrambone asked that Mr. Winckowski send out the letter to state.

**Mr. Schwartz** – Mr. Schwartz stated that he had the opportunity to walk the new sidewalks on Fairview Street and it came to his attention that there is no crosswalk at Moreland. He was curious why there is no crosswalk and how we can go about getting one installed.

Mr. Winckowski stated that he does not know the reason other than to think that the County was trying to keep mid-block crosswalks to a minimum.

Mr. Schwartz stated that he understands that but there is one at Yansick Drive.

Mr. Winckowski stated that they probably did not want to have one at both but we can ask them to have them install one or we can ask if we can install one. He asked if it would be more beneficial to have one at Moreland instead of Yansick Drive.

Council did not want to shift the crosswalk.

Mr. Winckowski stated that he will start at step one by asking the County if they would consider installing another crosswalk. If they say no, he will ask them if we can install one.

Mr. Schwartz stated that some time ago, through the Delran Events Facebook page, there was some interest from residents to volunteer for a park clean-up. A group of resident in Delcrest and Cambridge are still very interested in organizing a clean-up of Brown Street Park. We have a volunteer that is interested in organizing the event. He discussed this with Mr. Hatcher and the last step is for the Council to acknowledge the event for the volunteers to be covered under the insurance. They will need a few supplies for the cleanup, such as trash bags, brooms and cleaning supplies for the equipment. The tentative date is September 13<sup>th</sup>.

Mr. Catrambone recommended that we approve this at the public meeting on Tuesday. That will give Mr. Hatcher the opportunity to discuss this with Mr. DeSanto and make sure everything is okay.

**Mr. Catrambone** – Mr. Catrambone stated that Mr. Schwartz had requested a few items be put on the agenda but it was his impression that Mr. Schwartz would not be attending tonight so Mr. Catrambone did not add them for this meeting. One of the item was an appointment to the Green Team. He will forward the information to Council regarding the individual and he would like to have the appointment added to the agenda for the public meeting.

**Mr. Paris** – Mr. Paris stated that Public Works had done a fantastic job on patching Hartford Road. He would love to get this road in good condition and turn it over to the County.

**Ms. Pangia**- Ms. Pangia stated that there were several kids on Main Street that raised over \$300 from a lemonade and donated the money to a no kill animal shelter. She would like to have a proclamation done for them at public meeting. Council agreed.

## **PUBLIC PORTION**

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

Mary Parento, 25 S. Bridgeboro Road, stated that she need that a copy of the Master Plan for the Green Team but more specifically the Natural Resource Inventory. Mrs. Parento stated that a copy on a cd would be fine.

Ms. Eggers stated that she will work on scanning a copy of the Master Plan.

Mr. Parento, 25 S. Bridgeboro Street, reported that the Summer Camp ended last week and it was very successful. He thanked that Delran Fire Department for coming out to squirt the kids.

Tony Egan, 108 Shelly Lane, asked if Mr. Kennedy ever came to Township Council with a wish list for the existing fields.

Mr. Catrambone stated that Mr. Kennedy typically comes to one of the work sessions.

Mr. Paris stated that we also have other individuals, such as Tom Tartaglia, that came to Council with a plan for Leon Avenue. Mr. Paris stated that right now we are focusing on the new fields but all the fields will continue to be used so we want to make sure we keep up on all the fields. He asked if Mr. Egan knows of any issues to let them know.

Mr. Egan stated that the new fields are nicer than anything we have. He talked about Notre Dame, Faunce and Brown Street.

Mr. Winckowski stated that there is a wish for all the fields.

Mr. Egan asked if Council has discussed doing any improvements to the other parks.

Mr. Morrow stated that addressed the bathrooms at Notre Dame, we addressed issues with the tee ball field at Faunce Park and if the AA comes to us for improvements that they want to make we work with them. One of the biggest complaints we hear is parking and that is one of the main reasons we moved forward with the Community Park to alleviate the pressure in the neighborhoods.

Mr. Egan asked if the grant money the Township received for the Community Park can only be used for recreational fields.

Mr. Catrambone stated that the grants that we received were from the County and it is a recreational grant.

Mr. Egan asked if we are putting all our eggs in one basket and just using that money at Delran Community Park.

Mr. Catrambone stated that we are working with Jake's Place that will help us build the playground. This last phase of the grant will be used for lighting.

Mr. Paris stated that it will take a while to finish the Community Park we will continue to maintain and make improvements to other parks as needed.

Mr. Catrambone stated that we also address safety concerns and issues with graffiti.

Mr. Paris stated that Mrs. Kolodi is also working on fundraising for the park.

Mr. Gilbert, 75 Stewart Avenue, asked what is being done as far as grants for the flooding. There are grants out there and he has not heard about us applying for any.

Mr. Catrambone asked Mr. Winckowski to discuss some of the grants that we have applied for the Riverside Park area.

Mrs. Gilbert, 75 Stewart Avenue, stated that her basement, front and sidewalks are caving in and she is sick and tired of it. No one is doing anything about it, they are forgotten. Mrs. Gilbert stated that in the June they were going to be provided with numbers to contact to put pressure on the state for funding.

Mr. Paris stated that at numerous public meetings he has stated that they need to contact the Senator's Office, Congressman's Office, Assemblyman's Office and the Governor's Office. We reach out to all of those offices. We just had the Governor's Office down here a few weeks ago. We are just one of many towns facing these issues.

Mrs. Gilbert stated that they are not made aware of that. We have been fighting over three years for this.

Mr. Gilbert stated that the Army Corps provided a list of grants that the Township could apply for.

Ms. Pangia asked what grants were on that list that we haven't applied.

Ms. Winckowski stated that to address the flooding issue permanently, which would involve building pump stations, flood walls and levies, is a multi-million dollar project and we would need to solicit the Army Corps to initiate that grant project. The Township would need to commit a large sum of money to the project, it is not fully funded. It is normally 50% or 75% of the total project.

It is also a possibility that they would not approve the project because the benefits will not out way the costs.

Mr. Egan, Shelly Lane, stated that at the shore they elevate the homes and there are grants to help.

Mr. Gilbert stated that he cannot raise his home, it is solid stone down to the basement.

Mrs. Gilbert stated that we need to rebuild the berm.

Mr. Catrambone stated that there are limits to what we can do. We received grant funding to fix the flapper valve, which is something we hoped would help keep the water from coming back up the pipe. Water levels are rising and this is an issue of Mother Nature reclaiming that land.

Mr. Gilbert stated that when they moved there twenty-two years ago there was a bank and now you see those trees in the water. There is no bank anymore.

Mr. Morrow stated that the embankment has eroded over the years. The groundwater level is rising. The embankment needs to be replaced not only in Delran but in Riverside. The creek is higher now than it ever was.

Mrs. Gilbert stated that it is because the creek needs to be dredged.

Mr. Winckowski stated that dredging is done for navigation not for flood control when dealing with tidal water. Mr. Winckowski stated that replacing the berm will not help with the ground water issue.

Mr. Gilbert stated that they do not have a ground water issue.

Mr. Winckowski stated that there are several people with that issue.

Ms. Pangia asked if we can ask to meet with someone from the DVRPC to discuss grant possibilities.

Mr. Winckowski stated he can certainly reach out to them but there are only several grants that he is aware of. They are CDBG, which is usually about \$60,000, and we used that for the flapper valve. There are FEMA grants, one of which is the HMGP, which is a grant available after a disaster. We were denied for this after Hurricane Irene and we had no applicable project after Hurricane Sandy because all that was available were buyout and flood mitigations and we had no homeowners on board. We have recently sent out a letter asking if anyone would be willing to participate in this type of grant. We do have a current grant pending with the NJDEP Shoreline Protection Program. This is the third year we have applied and this year we have put pressure on them and we were notified that they have slated this as a project. Now it goes up to Governor's Office to determine whether it will be funded. It is looking good but he cannot commit to anything yet. This grant would be to reestablish the berm, not necessarily raising the berm.

Mrs. Gilbert stated that this is where there is a lack of communication, they had no idea this was happening.

Mr. Paris stated that Mr. Winckowski feels very optimistic but the grant but we didn't want to discuss this too much in case we end up not getting it.

Mr. Bohn, Stewart Avenue, stated that he works for the Sewer Department and a berm will never help, we will be wasting money if we do the berm. Once the high tide comes in the water will not be able to get out. Unfortunately, this is not a Township problem, it is a state problem.

Mr. Winckowski stated that it is a Federal problem. We are trying to address this one step at a time.

Mr. Catrambone stated that we all agree this is a major problem. We tried to address goals that were attainable and we will continue to move forward.

Mr. Paris stated that we are doing everything we can but as Mr. Bohn stated it is bigger than this Township.

Mr. Gilbert asked who is responsible for maintaining the concrete areas along the Bridgeboro Road that have trees growing out of them.

Mr. Paris stated that is a State area.

Mr. Gilbert reported that the improvements to the Fairview Street shopping center are looking better and better.

Mr. Gilbert asked if the Veterans' Appreciation Day on November 12<sup>th</sup> will be open to all members of the VFW Post 3020.

Mr. Paris recommended that he discuss this with Mrs. Kolodi and Mr. Schwartz when Mrs. Kolodi returns from vacation next week.

Mr. Gilbert stated that he noticed there is a seventy-five dollar charge for vendors at Delran Day. He is associated with the Mission of Honor and they receive no funding other than donation.

Mr. Paris stated that there is no charge for non-profits but they are required to file the application and provide insurance.

Mr. Gilbert stated that he brought up at the public meeting the issue that we provide the fields for the AA but there is no accountability to Township. It seems they come to the Township with a wish of things they want.

Mr. Catrambone stated that they receive a permit to use the fields for their specific purpose whether it be the AA, Soccer Club or other organization. If there is damage to field they are held accountable.

Mr. Catrambone stated that we worked with the AA to determine which field to light when we discussing the ability to light one of the fields at Delran Community Park. They come to us for approval on improvements they would like to make on the parks.

Mr. Winckowski stated that wish list was probably a poor choice of words. They wanted to go over the layout of the park so they can determine what items they wish install such as sheds and batting cages. Of course they request that the Township provide these items in their budget for the park.

Mr. Gilbert mentioned that he read an article on the front page of the Burlington County Times and he does not care whether it is true or not true but it just sheds a very dim light on this town.

He hopes that procedure are taken so that more precaution is taken in the future. It was embarrassing to read the article.

Ron Taylor, 8 Notre Dame Drive, stated that the parking lot at the Notre Dame Park was a great idea but people are still not using it.

Mr. Paris stated that we still have an issue with the buses. We have the police go out there and tell them to move. Hopefully with the new fields it will lessen the congestions on that field.

Mr. Taylor stated that he understands it is seasonal but it runs from April through October. It is not so much the parking that is the concern it is people coming in from out of town and speeding from both ends of Notre Dame. Residents can't even park in the driveways because they are being blocked. Mr. Taylor asked what it would take to have a loading and unloading signs installed from the Lehmann property at 40 Notre Dame to the driveway and enforce it as per the ordinance.

Mr. Morrow stated that with Delran Community Park opening up it should help with this problem.

Mr. Paris stated that we will discuss this with Mr. Hatcher and the Chief to determine the reason why the ordinance is not being enforced.

Mr. Egan recommended that we paint the curb posting.

Mr. Winckowski stated that the issue is not with the painting of the curb or installing signs it is why are we not enforcing the ordinance.

Mr. Morrow made a motion to end the public portion of the meeting. The motion was seconded by Mr. Schwartz. All were in favor, motion approved.

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

Respectfully submitted,

Jamey Eggers, Township Clerk