

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**November 9, 2021
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

SUNSHINE STATEMENT: Be advised the Township Council has given notice in accordance with the sunshine law in the following manner. Notice published in the Burlington County Times and Camden Courier Post on January 7, 2021 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell were present.

ALSO, PRESENT: Mr. Catrambone, Mayor, Mr. Siciliano, Solicitor and Ms. Eggers were present.

OATH OF OFFICER

Mayor Catrambone administered the oath of office to Police Chief James Mitchell.

ORDINANCE(S) ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE NO. 2021-18**

**AN ORDINANCE TO AMEND CHAPTER 43, SECTION OF THE CODE OF THE
TOWNSHIP OF DELRAN ENTITLED "AWARD OF THE CONTRACT OR
PURCHASE"**

WHEREAS, the Township Council of the Township of Delran has recommended certain amendments to Chapter 43 entitled "Purchasing" - Article XII Budget and Purchasing § 4-97 entitled "Award of Contract or Purchase" of the Code of the Township of Delran has determined that it is the best interest of the Township to adopt such requirements.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Delran that the Code is amended as follows:

SECTION I. Chapter 43 entitled "Purchasing" § 43-2 entitled "Process for award of professional services contracts" is hereby amended to add the following:

§ 43-2 Process for award of professional services contracts.

F. The Township Council, upon consideration and review of the procedures and recommendations, shall award the contract or purchase to the lowest bidder, pursuant to law, N.J.S.A. 40A:11-1 et seq.

Pre-Qualification Regulations for Bidder Requirements for Public Works Projects

1. Findings.

The Governing Body makes the following findings:

- A. The Township has proprietary and governmental interests in high standards, high qualifications and a high level of safety for workers and the general public. Those interests are fostered and benefitted by requiring bidders who desire to bid on public works projects with an estimated cost of construction equal to or exceeding \$250,000.00 to employ highly skilled workers.
- B. Using formally trained trade and craft workers ensures a level of competence, productivity, and worker safety that contributes to the timely and cost-effective completion of public works projects.
- C. A registered apprenticeship provides for a formal training arrangement that includes a paid-work component and an educational or instructional component, wherein an individual obtains workplace-relevant knowledge and skills.
- D. Registered apprenticeship programs are a written plan designed to move an apprentice from a low or no skill entry-level position to full occupational proficiency. These programs must meet parameters established under the National Apprenticeship Act that are designed to protect the welfare of the apprentice. The Act and its promulgating regulations are administered by the Department of Labor's Office of Apprenticeship and the New Jersey Department of Labor and Workforce Development.
- A. The publication "Apprenticeship Training In New Jersey - Directory of Information and Resources" prepared by the State of New Jersey Department of Labor and Workforce Development Division of Business Services - Office of Workforce Initiatives describes the benefits that apprenticeship programs provide to the public including but not limited to:
 - 1. Developing and maintaining a highly skilled workforce which has "learned how to learn" and which is well prepared to adapt to an ever-changing employment and economic environment that is the hallmark of today's global economy, and
 - 2. Increased productivity from apprentices who are more versatile and better able to solve work-related problems than untrained workers.
- B. The governing body may, in accordance with N.J.S.A. 40A:11-25, establish reasonable regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded on behalf of the contracting unit, and may adopt a standard form of statement or questionnaire for bidders showing the bidder's financial ability and experience in performing public sector work, to the satisfaction of the Township.
- C. A highly skilled workforce ensures lower costs for repairs and maintenance over the lifetime of a completed public works project; ensures that trade and craft workers have been properly trained to adapt to an ever-changing employment and economic environment that is the hallmark of today's global economy; and allows the apprentices to be better

trained which ultimately increases productivity and safety in the workplace.

- D. N.J.S.A. 40A:11-13 provides that any specifications for the provision or performance of goods or services shall be drafted in a manner to encourage free, open and competitive bidding and that no specifications may "{a) Require any standard, restriction, condition or limitation not directly related to the purpose, function or activity for which the contract is awarded."
- E. A requirement that a responsible bidder is one who participates in an apprenticeship program is consistent with N.J.S.A. 40A:11-13 in as much as the requirement is directly related to the cost, efficiency, skilled labor force, quality, safety and timeliness of the Township's public works projects.
- F. An apprenticeship program requirement as a condition of responsible bidder determination is consistent with N.J.S.A. 40A:11-6.1 which requires that public contracts be awarded not to the lowest bidder, but to the "lowest responsible bidder".
- G. A highly skilled workforce ensures lower costs for repairs and maintenance over the lifetime of a completed public works project; ensures that trade and craft workers have been properly trained to adapt to an ever-changing employment and economic environment that is the hallmark of today's global economy; and allows the apprentices to be better trained which ultimately increases productivity and safety in the workplace.
- H. N.J.S.A. 40A:11-13 provides that any specifications for the provision or performance of goods or services shall be drafted in a manner to encourage free, open and competitive bidding and that no specifications may "{a) Require any standard, restriction, condition or limitation not directly related to the purpose, function or activity for which the contract is awarded."
- I. A requirement that a responsible bidder is one who participates in an apprenticeship program is consistent with N.J.S.A. 40A:11-13 in as much as the requirement is directly related to the cost, efficiency, skilled labor force, quality, safety and timeliness of the Township's public works projects.
- J. An apprenticeship program requirement as a condition of responsible bidder determination is consistent with N.J.S.A. 40A:11-6.1 which requires that public contracts be awarded not to the lowest bidder, but to the "lowest responsible bidder".
- K. Requiring apprenticeship programs as an element of responsibility places all bidders on equal footing and does not unnecessarily limit the number of type of bidders on public contracts, as all contractors will have a fair and equal chance to bid on Township contracts.

- L. Requiring apprenticeship programs as an element of responsibility supports State of New Jersey policy as set forth in J.J.S.A. 34:1A-37 and N.J.S.A. 52:38-1:
 - a. The State of New Jersey, as set forth in N.J.S.A. 34:1A-37 as an example, has recognized the inherent good in the encouragement and promotion of apprenticeship agreements and supports apprenticeship programs through programs of the State Department of Labor and Workforce Development;
 - b. The State of New Jersey, as set forth in N.J.S.A. 52:38-1, has determined that a highly skilled workforce ensures lower costs for repairs and maintenance over the lifetime of a completed project and such a requirement is directly related to the contract activity;
- M. Apprenticeship programs that train highly skilled workers and improve efficiency in government projects further the purposes of the Local Public Contracts Law.

2. Definitions.

Unless otherwise apparent from the context, the following words shall have the meanings set forth herein:

- A. The "Director" means the Director of the Division of Local Government Services within the Department of Community Affairs.
- B. "Lowest responsible bidder or vendor" means the bidder or vendor: (a) whose response to a request for bids offers the lowest price and is responsive; and (b) who is responsible.
- C. "Public works project" means any construction, reconstructions, demolition, alteration, custom fabrication, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program or work performed under a contract for road resurfacing.
- D. "Responsible" means able to complete the contract in accordance with its requirements including but not limited to requirements pertaining to experience, moral integrity, operating capacity, financial capacity, credit, and workforce, equipment, and facilities availability.
- E. "Responsive" means conforming in all material respects to the terms and conditions, specifications, legal requirements, and other provisions of the request; and
- F. "Apprenticeship program" means a registered apprenticeship program providing to each trainee combined classroom and on-the-job training under the direct and close supervision of a highly skilled worker in an occupation recognized as an apprentice able trade, and registered by the Bureau of Apprenticeship and Training of the U.S. Department of Labor and meeting the standards established by the bureau, or registered by a State apprenticeship agency recognized by the bureau.

3. Registered Apprenticeship Program Required for Public Works Projects.

- A. It is hereby established by the governing body that participation in a registered apprenticeship program shall be a necessary qualification for all contractors and subcontractors, including lower-tier subcontractors seeking perform work on any public works project for which the Township estimates that the total cost of the project, exclusive of any land acquisition costs, will equal or exceed two hundred fifty thousand dollars (\$250,000).
- B. All bidders on public works projects for which the Township estimates that the total cost of the project, exclusive of any land acquisition costs, will equal or exceed two hundred fifty thousand dollars (\$250,000) shall provide evidence that, at the time of the bid, the bidder and all of the bidder's subcontractors participate in registered apprenticeship programs for each of the trades of work contemplated under the awarded contract for which a registered apprenticeship program exists. Any bidder who fails to submit such evidence shall not be deemed a responsible bidder.
- C. It shall be a term and condition of any and all contracts for a public works project for which the Township estimates that the total cost of the project, exclusive of any land acquisition costs, will equal or exceed two hundred fifty thousand dollars (\$250,000) that all lower-tier subcontractors (e.g. sub-subcontractors and below) must provide evidence of participation in registered apprenticeship programs for each of the trades of work contemplated under the awarded contract prior to execution of any subcontract governing work on the public works project and prior to performing any work on said public works project.

4. Incorporation into Bid Documents and Contracts.

The requirements of this Ordinance shall be incorporated into the Township's bid specifications and contracts for public works projects for which the Township estimates that the total cost of the project, exclusive of any land acquisition costs, will equal or exceed two hundred fifty thousand dollars (\$250,000). Any violation of this Ordinance may constitute a breach of such contract.

5. Repealer.

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

6. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

7. Director Approval Required.

Upon adoption, a certified copy of this Ordinance shall be submitted to the Director of the Division of Local Government Services for approval together with such other documents as shall be required by Director, in accordance with the requirements of Local Finance Notice or such successor directive issued by the Division of Local Government Services prior to adoption of this Ordinance.

Effective Date and Sunset Provision.

- A. Pursuant to N.J.S.A. 40:41A-101, all ordinances take effect twenty days after final passage by the Township Council of Delran.
- B. Notwithstanding the foregoing, in accordance with N.J.S.A. 40:11-25, this Ordinance shall not take effect unless and until this Ordinance and required accompanying documentation have been submitted to the Director for approval in accordance with Section 7 of this Ordinance, and either (1) the Director grants such approval in writing, or (2) the Director fails to approve or disapprove the Ordinance within 30 days of its receipt by the Director.
- C. In the event the Director approves this Ordinance only for a limited duration, this Ordinance shall cease to be effective, and shall no longer constitute a requirement for bidding for or performing work under a contract advertised subsequent to the expiration of such approval.

Mr. Lyon made a motion to open the meeting to the public, seconded by Ms. Parejo. All were in favor, motion approved.

There were no comments.

Mr. Jeney made a motion to close the public portion, seconded by Mr. Smith. All were in favor, motion approved.

Mr. Lyon made a motion, seconded by Ms. Parejo to adopt Ordinance 2021-18 on second reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2021-19**

**AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS EMPLOYEES OF THE
TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY
AND REGULATING THE MANNER OF PAYMENT OF SAME**

BE IT ORDAINED by the Township Council of the Township of Delran in the County of Burlington and State of New Jersey that the Township does hereby establish the following salary ranges for the employees serving in the following positions:

POSITIONS	ANNUAL 2021 SALARY	PAY PERIOD	EFFECTIVE DATE
DEPUTY TOWNSHIP CLERK	\$50,000	BI-WEEKLY	OCTOBER 1, 2021

Section II Repeal – All ordinances or parts of Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

Section III Adoption – This Ordinance shall take effect twenty days after adoption and publication according to law. This Ordinance is retroactive respectively to October 1, 2021.

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

There were no comments.

Mr. Jeney made a motion to close the public portion, seconded by Ms. Parejo. All were in favor, motion approved.

Mr. Lyon made a motion, seconded by Mr. Jeney to adopt Ordinance 2021-19 on second reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2021-20**

AN ORDINANCE REPEALING CHAPTER 217, “NOISE” OF THE CODE OF THE TOWNSHIP OF DELRAN AND REPLACING WITH NEW CHAPTER 217, “NOISE”.

SECTION ONE. Chapter 217, “Noise” of the Code of the Township of Delran, be and the same is hereby repealed and replaced thereto with the following:

I. Declaration of Findings and Policy

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and,

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and, WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound,

NOW THEREFORE, it is the policy of Delran to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This ordinance shall apply to the control of sound originating from sources within **Delran**.

II. Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
2. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist

performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

"Sound production device" means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

"Sound reduction device" means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

III. Applicability

(A) This noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Community service facilities;
4. Residential properties;

5. Multi-use properties;
6. Public and private right-of-ways;
7. Public spaces; and
8. Multi-dwelling unit buildings.

(B) This model noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Community service facilities (i.e. non-profits and/or religious facilities)
3. Residential properties;
4. Multi-use properties;
5. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

IV. Exemptions

- (A) Except as provided in IX. and X. below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.
- (B) Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.
- (C) Construction and demolition activities are exempt from the sound level limits set forth in tables I and II and III except as provided for in IX. below.

V. Enforcement Officers

- (A) Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.
- (B) Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.
- (C) Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

VI. Measurement Protocols

(A) Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in VIB of this ordinance and with the definition of "real property line" as contained herein.

(B) When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

VII. Maximum Permissible Sound Levels

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in III.(A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in VI(B).

(B) Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility or non-residential portion of a multi-use property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
MAXIMUM PERMISSIBLE OCTAVE BAND
SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility or non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
Time	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45

8,000	53	38	43	28	53	43
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Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

VIII. Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in VI(B) of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS
WITHIN A RESIDENTIAL PROPERTY**

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

IX. Restricted Uses and Activities

Note: This section is optional; any numbered paragraph may be adopted in its entirety.

The following standards shall apply to the activities or sources of sound set forth below:

- A. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.
- B. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public

employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

C. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

D. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.

E. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.

F. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator;

G. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

- (1) Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
- (2) Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

X. Motor Vehicles

Note: This section is optional; any numbered paragraph may be adopted in its entirety.

Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

- (A) No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.
- (B) No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.
- (C) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.
- (D) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

XI. Enforcement

- (A) Violation of any provision of this ordinance shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.
- (B) Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than the maximum penalty pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

- (C) Upon identification of a violation of this Ordinance the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Ordinance that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.
- (D) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section II of this ordinance) a NOV shall be issued to the violator.
1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.
 2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the Township of Delran Code Enforcement or the Township of Delran Police Department. It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.
- (E) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation, the violator shall be notified that if the violation is not immediately corrected, a NOPA with a civil penalty of not more than the maximum penalty allowed pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014, will be issued. If a non-minor violation is immediately corrected, a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.
- (F) The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.
- (G) The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

- (H) The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.
- (I) Any claim for a civil penalty may be compromised and settled based on the following factors:
 - 1. Mitigating or any other extenuating circumstances;
 - 2. The timely implementation by the violator of measures which lead to compliance;
 - 3. The conduct of the violator; and
 - 4. The compliance history of the violator.

XII. Consistency, Severability and Repealer

- (A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- (B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.
- (C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

SECTION TWO. Chapter 217, "Noise" be and the same is hereby amended.

SECTION THREE. Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION FOUR. This Ordinance shall take effect upon its passage and publication according to law.

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

There were no comments.

Mr. Jeney made a motion to close the public portion, seconded by Mr. Smith. All were in favor, motion approved.

Ms. Parejo made a motion, seconded by Mr. Smith to adopt Ordinance 2021-20 on second reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE(S) ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2021-21**

AN ORDINANCE TO ESTABLISH SALARY RANGES FOR EMPLOYEES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND REGULATING THE MANNER OF PAYMENT OF SAME

Mr. Lyon made a motion, seconded by Mr. Jeney to adopt Ordinance 2021-21 on first reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE 2021-22

AN ORDINANCE OF THE TOWNSHIP OF DELRAN, BURLINGTON COUNTY, NEW JERSEY AMENDMENT TO THE TOWNSHIP OF DELRAN CODE AND CREATING CHAPTER 90, ENTITLED "TREES"

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Ordinance 2021-22 on first reading.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

RESOLUTION(S)

Resolution 2021-179 Authorizing 2021 Budget Transfers

Mr. Jeney made a motion, seconded by Ms. Parejo to adopt Resolution 2021-179.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Resolution 2021-180 Authorizing the Cancellation of Certain Balances on the General Capital Fund Balance Sheet

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Resolution 2021-180.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Resolution 2021-181 Requesting Approval of Items of Revenue and Appropriation in Accordance with N.J.S.A. 40A:4-87 2021 Safe and Secure Communities Grant Program

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Resolution 2021-181.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5
Nays: None

Motion Approved

Resolution 2021-182 Authorizing the Acceptance of a SFY21 Body-Worn Camera Grant from the New Jersey Department of Law and Public Safety, Office of Attorney General, Award Number 21-BWC-116

Mr. Smith made a motion, seconded by Mr. Lyon to adopt Resolution 2021-182.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5
Nays: None

Motion Approved

Resolution 2021-183 Authorizing the Purchase of a 2022 Ford F350 Extended Cab 4WD Pickup Truck & Equipment Under State Contract T2101

Mr. Lyon made a motion, seconded by Ms. Parejo to adopt Resolution 2021-183.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5
Nays: None

Motion Approved

MOTIONS

Mr. Jeney made a motion, seconded by Mr. Smith authorizing the payment of bills including all purchases made under the cooperative purchasing agreement.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5
Nays: None

Motion Approved

Mr. Smith made a motion, seconded by Mr. Lyon accepting the report of the Tax Collector and the Township Clerk.

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Jeney made a motion, seconded by Ms. Parejo granting a mercantile license to the following:

- Metzger's Autobody, LLC, 150A-31 Carriage Lane
- JRBR Services, LLC, 8004 Route 130

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Smith made a motion, seconded by Mr. Lyon appointing the following member to the Recreation Advisory Board:

- Candy Cure - Term to expire 12/31/2023
- Chris Pullin – Term to expire 12/31/2022

There being no questions, the roll was called.

Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

REPORTS

Chief Peak, Delran Fire Department – Chief Peak reported that they are up to 565 calls for the Department.

On October 16th, the Department responded to a motor vehicle accident on Route 130 just below the Bridgeboro Bridge. There was an overturned vehicle with victims inside that the crews were able to rescue. There were no major injuries.

On October 19th the Department responded to 98 Suburban Blvd. for an alarm system which was upgraded to a building fire. Luckily there was no fire, only smoke related to a cooking incident.

On October 21st, Station 231 responded to Willingboro for a dwelling fire.

On October 23rd, the Department responded to a motor cycle accident on Route 130. Luckily the individual was able to walk away from that incident.

On October 23rd, the Chester Avenue Station responded to Burlington Township. Later that evening they responded to a motor vehicle accident in Willingboro.

On October 30th, a round of storms came and they spent 4-5 hours on Stewart Avenue pumping out backyards and basements. The residents were very accommodating and our thanks go out to them. Chief Peak also thanked the Council members that came out to support them and the resident.

Chief Peak reported that the Department held training over the month of October for the new rescue equipment they received. This month and next month they will start water and ice rescue training. Also, this month they were able to visit the Golden Corral for training/drills before demolition.

Ms. Eggers – Ms. Eggers reported that the November 24th Blood Drive has been cancelled. Unfortunately, the Red Cross did not have enough staff for the drive. Hopefully, we can pick up in 2022 with our first drive scheduled for February.

Mr. Catrambone – Mr. Catrambone thanked the EMS staff for bringing additional fans to the meeting tonight last minute and apologized for the heat.

Mr. Catrambone thanked the Fire Department for their help and assistance with the residents in Riverside Park.

Mr. Catrambone reported that over the weekend there was a 911 for an attempted home invasion and he would like to commend the Police Department for responding to the call in less than four minutes. The suspects were arrested on the scene and the residents are safe.

Mr. Catrambone congratulated Delran Golden Regiment Marching Band on winning the US Band National Championships again this year. We will be honoring them at the December public meeting. If you were not able to see them perform, they will attend the 7-Eleven grand opening on December 3rd. Also, 7-Eleven will make a donation to the Delran Parent's Music Association during that event. Mr. Catrambone encourage everyone to attend the event.

Mr. Catrambone reported that Delran has received a grant from the NJ Department of Transportation in the amount of \$175,000 for improvements to Haines Mill Road.

Mr. Catrambone stated that since this is the first public meeting since October 14th, he would like to thank everyone who helped with the planning and execution of the Carli Lloyd Celebration event. The event gained extremely positive attention both locally and nationally. Just like the children that were in attendance that evening, generations of children will continue to be inspired by our own small-town hero. Mr. Catrambone stated that nothing illegal or unethical happened in the planning or execution of this event by anyone involved. The most priceless thing was the look on the faces of the children during that incredible evening. The event was a magical night that inspired both adults and children to be better versions of themselves, to work hard and be great at whatever they choose to be. The feeling of connection as a town and a family for all who attended will stay with us. This was a once in a lifetime event and nothing will take away the emotion of that night from our Delran family or our children.

Mr. Catrambone offered his condolences to the family of Private First-Class Thomas Wilson. He was a Delran resident and a Vietnam Veteran. Following his discharge Mr. Wilson fought another battle over the course of his life due to the injuries he sustained during his service. The Township will be honoring him during our Veterans Day service at the municipal building on Thursday beginning at 10 AM.

Solicitor – No report.

Mr. Smith – Mr. Smith congratulated Chief Mitchell on his promotion. He has known Chief Mitchell for years. He is a great guy, has tremendous integrity and will the Department with honor. Mr. Smith thanked the Delran EMS, Fire Department and Police Department for their attendance tonight.

Mr. Smith stated that daylight savings time is here and it is getting darker earlier which makes it difficult to see people walking, biking or skateboarding. Please be mindful while driving.

Mr. Jeney – Mr. Jeney congratulated Chief Mitchell, he will be a great leader for the Department.

Mr. Jeney thanked the Fire Department and everyone that came out to assist with the flood. He was down there observing the activities.

Mr. Jeney reported that the paving on Conrow is complete and thanked the residents for putting up with a little bit of aggravation to get a newly paved road. He looks forward to the paving of Chester Avenue and roads in the area of Baylor.

Ms. Parejo – Ms. Parejo congratulated our new Chief of Police, Jim Mitchell. We are very lucky to have him.

Ms. Parejo thanked the Fire Department for helping in Riverside Park after the recent storm.

Mr. Lyon – Mr. Lyon congratulated Chief Mitchell. Mr. Lyon stated that he has known him since he moved to town and he is a good guy. We are in capable hands.

Mr. Lyon stated that he is looking forward to Veteran's Day and the service that will be held at the municipal building. Hats off to all the Veterans. Mr. Lyon stated that his father was a WWII Marine and his brother was also a Marine.

Mr. Lyon reported that he was able to attend the Carli Lloyd event and a good friend of his brought his teenage daughter to the event. Watching the look on her face, she was inspired by the positivity of the event.

Mr. Lyon asked the residents to be patient with regards to the traffic calming improvements on Grande Blvd. The project is not quite finished yet. The improvements will help the children cross safely to the park and hopefully slow down the speeding traffic on the road.

Mr. Burrell – Mr. Burrell echoed the comments of the Mayor and Council. Mr. Burrell congratulated Chief Mitchell and the Department. During his tenure on Council, Mr. Burrell has worked closely with Chief Mitchell and has gotten to know him pretty well. He is a firm believer in working for the good of the community. There is no question that it is challenging to run a Police Department today but with his dedication, leadership and his vision, the Department will continue to thrive. On behalf of Council, we look forward to working together.

PUBLIC PORTION

Mr. Burrell restated the rules of decorum. He reminded residents that if you would like to speak, please raise your hand, be recognized and approach the microphone in the front. Please state your name and address for the record. Please use your outdoor voice. All remarks should be addressed to the Council President and each speaker will be allotted five minutes. All statements are part of the public record both video recorded and written and cannot be redacted or retracted.

Mr. Lyon made a motion, seconded by Mr. Smith to open the meeting to the public for any questions. All were in favor; the motion was approved.

Bob Gilbert, 75 Stewart Avenue, thanked the Fire Department for their help during the storms.

Mr. Gilbert stated that he was informed that the Mr. Wilson had passed away and it will be nice for Council to honor him on Thursday. Mr. Gilbert stated that he will be in attendance but there may not be as many veterans in attendance as he had hoped. There are others event happening with it being Veteran's Day. Mr. Gilbert urged every Veteran to get a copy of their DD-214.

Mr. Gilbert asked what will be done with Milanese Pizza.

Mr. Catrambone stated that it is his understanding that the owner is looking to rebuild as it was before.

Mr. Gilbert stated that he was under the assumption that the work on Chester Avenue was to be completed at night. The last few days the road has been blocked during the day.

Mr. Burrell stated that only the portion from the municipal building to Route 130 was to be completed at night for safety concerns. The remainder of the project was to be completed during the day.

Mr. Gilbert stated that Council discussed the Veterans award and he understands Councilman Jeney will be taking the lead.

Mr. Burrell stated that we are in the concept phase and he will be discussing this with the Mayor's Office. Councilman Jeney has offered to take the lead of this project and help organize. Our plan is to move forward with the project.

Patrick Duff, Haddon Heights resident and former resident of 812 Chester Avenue, stated that he would rather not give his full address as he has had physical threats against him. Someone actually threatened to shoot him if he didn't stay offline for trying to do an investigation into the finances related to the Carli Lloyd event. He contacted the Burlington County Sheriff's Department and they are investigating. Mr. Duff stated that people are wondering why he is doing this. Mr. Duff stated that fourteen weeks ago he found out that he had cancer and was about two months away from dying. The perforated tumor was killing him for years and nobody knew because they didn't look. So that is what he is doing, he is looking at the finances to see where things go and if there is a tumor that needs to be removed from this town. Mr. Duff stated that he thanks god every day that he gets to see his son and he wants to leave this world a better place for him. The only way to do that is with honest representation. He chose to pick Delran just to look at financial records of the Carli Lloyd event which should have been a really easy thing. Mr. Duff stated that the Mayor said nothing illegal happened but he has proof that there's contract that show that the video and stage services were split purposefully to avoid getting bids, which is illegal. Mr. Duff stated that he can also show that the Mayor's company, Center Stage Entertainment, solicited quotes from these companies and someone signed for Go Events which is owned by a relative of the Mayor and a co-worker. If that is legal, why didn't the Township just hire Center Stage Entertainment to do all the events instead of using Go Events when you can't even figure out how they are because they are registered in Nevada. The slow perforation of the finances in Delran are making it so the tax structure in the town and unbearable for the citizens. The residents on Stewart Avenue didn't get checks to help them with the clean out of their basements. Mr. Duff stated that Delran is just another town where he has done this. He has done Point Pleasant Beach, Philadelphia, and the Philadelphia Police System. Mr. Duff stated that he doesn't know if this was a one-time thing but the Mayor did hire someone from his company and his family member. Being the head of the RAC, there is no way that the Mayor can say he didn't know and there is no way that Mr. Hatcher can say we didn't know that Go Events was being signed by Alex Glover who is an employee of Center Stage Entertainment. Center Stage Entertainment is listed under employment on the Mayor's Financial Disclosure. Mr. Duff stated that he is asking the Mayor to be real, they are not asking him to step down. Mr. Duff stated the Mayor insulted him claiming that he defamed people and claimed coercion and bribery which he never did. He never said anything bad about Carli Lloyd or the event he simply looked into the finances. Mr. Duff asked the Mayor to answer why he hired a relative and someone he works with. Mr. Duff asked Mr. Burrell why the Township avoided getting bids which were greater than the \$44,000.00. Mr. Duff stated that he has contracts that show both services included. Just admit that the Township bid split and gave contracts to your friends.

Mr. Catrambone thanked Mr. Duff for his comments.

Mr. Burrell stated that the Township Attorney, Mr. Siciliano was involved in the process and asked him to comment on the bid splitting.

Mr. Siciliano stated that there was no bid splitting.

Jeff Bodnar, 116 Kathleen Avenue, stated that the sound system is working great tonight as people in attendance can hear Mayor and Council speak along with the comments from the public.

Mr. Bodnar stated that he was driving down Tenby Chase Drive and he feels the improvements are terrible as it pushes all the cars to one lane and he asked why the improvements were done.

Mr. Burrell stated that Tenby Chase and Grande Blvd. were chosen for traffic calming improvements because they are heavily traveled and have sports complexes. We consulted with the experts and what was installed are chicanes. The chicanes are installed from the curb to what would be the fog line. The lane for traffic remains the same width.

Mr. Bodnar stated that it just feels so small.

Mr. Burrell stated that is part of the purpose to make traffic slow down.

Mr. Bodnar asked how much the improvements costed.

Mr. Burrell stated that he doesn't have the information with him but he can get him that number.

Mr. Bodnar suggested that the Council consider hiring someone to paint the road to make it appear there is a bump in the road.

Mr. Bodnar stated that there is a dumpster in the street at 110 Diane that has been there for two months.

Mr. Burrell stated that we will have someone take a look.

Mr. Bodnar thanked Mr. Burrell for letting him take his mask down but he really wishes Council would eliminate the requirement.

Mr. Bodnar stated that he lives in Swedes Run and can hear Route 130 in the morning. It is a racetrack around 6:30 A.M. It would be nice if we could get some money and have the police patrol the area and write tickets. Mr. Bodnar stated that something else that bothers him is tinted windows. NJ law does permit tinted windows and he sees more and more cars with them. It is not safe for the police.

Tony Egan, 108 Shelly Lane, asked if additional chicanes will be added to Tenby Chase Drive on top of the one added by the fields.

Mr. Burrell stated that additional chicanes, fog line/center lane stripping and speed signs. The full diagram is online for review.

Mr. Egan stated it appears they went overboard on Grande Blvd. and not so much on Tenby Chase Drive.

Mr. Burrell stated that there are more on Grande Blvd. and that is because there are more intersections.

Mr. Egan stated that the Attorney claimed there is no bid splitting and he asked him to explain.

Mr. Siciliano asked what question he would like him to answer, there was no bid splitting in the process.

Pat Pomeranz, 21 Alden Avenue, stated that she was reading the Ordinance about the trees and asked if she wanted to take down a tree in her yard, would she have to get a permit.

Mr. Burrell stated that residents were supposed to get a permit before. The main purpose of the ordinance is to require developers who remove trees to either re-plant them on property or pay for the Township to plant replacement trees. Residents can take down five trees per year along with other exceptions.

Ms. Pomeranz asked if this applies to any of the properties that have already cleared their land including Chester Avenue, Stellwag, or Willowbrook.

Mr. Burrell stated that it does not but we are appointing a Licensed Tree Expert to sit on the Planning and Zoning Boards to review applications moving forward. In a perfect world this would have been done years ago.

Ms. Pomeranz stated that with regards to flooding in Riverside Park, this has been an issue for twenty plus years.

Mr. Burrell stated that they received an email from the Engineer tonight and the Township will be meeting with Army Corps on December 2nd to discuss a draft project management plan.

Ms. Pomeranz stated that the new trail system along River Road just takes up for ground from the area and allows more rain into the neighborhood.

Mr. Burrell stated that was a County project.

Ms. Pomeranz stated that she has been hearing something will be done for twenty years and she hopes this time is different.

Mr. Burrell stated that as soon as Council has any information, they will share it with the residents.

Barbara Gallagher, 220 Sharrow Vale Road, asked why Black Baron Road was torn up on both

corners.

Mr. Catrambone stated that the Township is repairing the intersections at Sharrow Vale/Black Baron and Sharrow Vale/Southview. They will be installing handicap ramps and then repairing the intersections.

Bob Gilbert, 75 Stewart Avenue, stated to reiterate what Ms. Pomeranz stated, he has lived in Riverside Park for twenty-eight years and it floods constantly. The bank is 1/3 the size it used to be. The offer from the Army Corps is the same offer from 2012 that the Township turned down and now here we are nine years later. The Township is going to have a major problem when the Sewer Plant ends up in the river.

Patrick Duff, asked Mr. Burrell if the Township or consultants received any quotes that were above \$44,000 that included tv/video services along with the stage services.

Mr. Burrell stated that Mr. Siciliano was involved through the entire process. Everyone that was involved with the event consulted with Mr. Siciliano. There were proposals, early on, from other vendors as the RAC was working on the event.

Mr. Duff asked Mr. Burrell to state the vendors.

Mr. Burrell stated that he doesn't have all the information tonight but they include Starlight and Spellcaster. There were no quotes over \$44,000, they were concept proposals.

Mr. Duff again asked whether the Township received quotes over the \$44,000 threshold. It is a simple yes or no question.

Mr. Siciliano asked Mr. Duff to allow Mr. Burrell to answer the question. Mr. Siciliano stated that it is not a yes or no question and stated that Mr. Duff is making factual assumptions which are incorrect. Mr. Siciliano stated that Mr. Burrell has tried to answer the question but it does not meet his satisfaction because it doesn't meet his narrative.

Mr. Duff stated that there were original bids received over \$44,000 and the same company split the bid, isn't that correct.

Mr. Siciliano stated that no one has made that statement except Mr. Duff.

Mr. Duff stated that he has proof.

Mr. Burrell stated that he will finish his statement. For the video service, we attempted to get three quotes. One company could not meet the specifications and sent a letter that meets the standard of the law as advised by the Solicitor. Then with stage, three quotes were received and we went with the lowest quote in conjunction with the Solicitor's by awarding a non-fair and open contract. We met the ELEC requirements to disclose any political contributions.

Mr. Duff stated that there were contracts above that amount, correct?

Mr. Siciliano stated that there were not, no one has made that statement.

Mr. Duff stated that he is just asking a simple yes or no question and stated that Mr. Siciliano is a public representative and he owes the public an answer.

Mr. Siciliano stated that it is not a yes or no question.

Jeff Bodnar, 116 Kathleen Avenue, stated that from what he has heard here his question is regarding the rules of Council. Mr. Bodnar stated that he is assuming the claim is that the Mayor is associated with the one of the companies involved in the event. Mr. Bodnar asked if Council is allowed to give contracts to Council members or the Mayor.

Mr. Siciliano stated that they are not. The Local Public Contracts Law prohibits any public official from having a direct financial benefit. That includes the public official, members of their household and immediate family. That has not happened in this case at all.

Mr. Bodnar suggested that maybe Council have someone on the outside look over what was done and make sure it was done right.

Barbara Littleton, 317 Chestnut Street, stated that if she is hearing this all correctly, the Township did not receive any bids but asked if the Township received any proposals that included both the stage and the video services for the Carli Lloyd event.

Mr. Burrell stated that there were a bunch of quotes/proposals back and forth as the RAC was working on the event to figure out what was in budget and what equipment was needed. There were quotes early on that offered way more than was needed.

Ms. Littleton asked if she could get a rationale why we spilt the services.

Mr. Burrell stated that we complied with the law. We received three quotes for the service and here was no bid splitting. It was all done in consultation with the Solicitor's office to make sure we complied with the law. These are lengthy laws and we rely on the Solicitor and the Administration to make sure we comply with all laws and requirements.

Ms. Littleton asked why we didn't put one bid out for all.

Mr. Burrell stated that there was no bid put out.

Mr. Siciliano stated that there was no bid splitting. Sometimes you receive information like this if you have different companies providing different services if the companies are headquartered in different states they have different states, they have different tax id numbers or different vendor numbers. That is why you would see different amounts. There are different bid thresholds under State Statute depending on whether the Township has a Qualified Purchasing Agent, which Delran does have.

Ms. Littleton asked if any of the companies could have provided all the services together.

Mr. Siciliano stated that he has no idea whether they could have or not.

Ms. Littleton stated that as a Council, she would have thought they would have looked into that and see if there was someone that could provide all services together. If there were and the quote was over the bid threshold, then we should have gone through the bid process.

Ms. Littleton asked the Mayor if he, his wife or business associate have any relationship to Go Events.

Mr. Catrambone stated no, he is not in any way financially involved with that company. He is not an employee of Go Events or a stakeholder.

Scott Ducko, 3 Glen Forest Road, Mt. Laurel Road stated that he is very concerned about what is going on here and would like to know if Mr. Catrambone is related to a Frank Catrambone from Go Events.

Mr. Catrambone stated Frank Catrambone is his nephew.

Mr. Bucko stated that his nephew from Go Events has the same address from Center Stage Entertainment which is connected to Mr. Catrambone.

Mr. Catrambone stated that when he was incorporating, he understands that from Mr. Duff's information.

Mr. Ducko asked if that is a conflict.

Mr. Siciliano stated no, there is no financial benefit to Mayor. Catrambone. If Mr. Ducko has any documents that prove Mr. Catrambone has a financial benefit he would be happy to review them.

Mr. Burrell stated that he wanted to make clear for everyone in the room if there is any evidence of anything criminally or ethically wrong, that would never be acceptable. If you have that information you should report it to the proper authorities. We cannot live off of speculation. We represent this Township and deeply care about this Township. We will always protect the residents of Delran. If there are any allegations that you have that are concerning, I urge you to contact the proper authorities. Mr. Burrell stated that he will support them in their efforts as he is not here to silence any of those allegations.

Nicole Vandermark, 879 Lichtenthal Street, asked Mr. Siciliano if he stated earlier that hiring a relative was illegal.

Mr. Siciliano stated that he never made that statement. The statutory analysis is financial benefit. If there is a financial benefit it is illegal.

Ms. Vandermark asked the Mayor if he is a DJ.

Mr. Catrambone stated that he is a DJ.

Ms. Vandermark asked with what company.

Mr. Catrambone stated Gary Catrambone Entertainment, LLC.

Ms. Vandermark stated that with everything Mr. Duff has put on Facebook, why hasn't anyone addressed them. Why haven't we heard from the Mayor. Ms. Vandermark asked if we are to assume Mr. Duff is lying.

Mr. Catrambone stated that if you spread enough information incorrect or not, it starts to look to the people that don't know the truth that this is what is happening. There is so much misinformation being distributed it would be impossible for him to correct them.

Ms. Vandermark stated that she understands but sometimes silence is worse. Nothing has been said. She understands that they are angry and are being attacked but asked them to look at it from their side. We are seeing all of this stuff and reading all the papers which look legal and legitimate. Mayor and Council are being questioned and not really giving straight answers so what are the residents supposed to do. Are we supposed to be quiet, are we not supposed to ask questions. Does Council really want the residents to go to Trenton.

Mr. Burrell stated that he appreciates the efforts to be involved. That is why he ran for office. If there is something that was done wrong, then it needs to be reported to the proper authorities. The questions about the Mayor, we can't provide those answers and he hopes they can respect that.

Ms. Vandermark stated that she understands that and appreciates it.

Mr. Burrell stated that it is up to the residents to decide if the Mayor's answers are satisfactory. If you have any information please report it as there is no reason to hide any of it.

Mr. Jeney made a motion to close the meeting to the public, seconded by Mr. Smith. All were in favor, the motion was approved.

Mr. Lyon made a motion to adjourn the meeting, seconded by Ms. Parejo. All were in favor, the meeting was adjourned.

Respectfully submitted,

Jamey Eggers, Township Clerk

