

**WORK SESSION
MUNICIPAL BUILDING**

**November 23, 2021
DELRAN, NJ**

Sunshine Statement: Be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice advertised in the Burlington County Times 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, Mr. Winckowski, Engineer, Mr. Hatcher, Administrator and Ms. Eggers, Township Clerk.

DEFERRED COMPENSATION ADMINISTRATOR

Mr. Hatcher reported that the Township has a deferred compensation program that the employees can contribute to and he has been the administrator for the program. With his retirement, he is suggesting that the CFO, Kareemah Press be appointed as the administrator for the program. It will require the Mayor to sign a letter designating Kareemah Press as the administrator for the deferred compensation program. After discussion, Council agreed. Mr. Hatcher asked for a roll call vote.

Mr. Smith made a motion, seconded by Mr. Lyon designating Kareemah Press as the Deferred Compensation Administrator effective December 15th. All were in favor, motion approved.

DREDGE HARBOR BOAT CENTER CLUB LICENSE APPLICATION

Mr. Burrell stated that as per the memo from Ms. Eggers, Council will need to adopt a Resolution authorizing the issuance of a new Club License to Dredge Harbor Boat Center.

Ms. Eggers stated that since this is a new application for a Club License, the Division of ABC requires an approval Resolution from the Township. They have submitted their application and fees to the Division and they have approved the license pending approval from the Township. If Council agrees, a Resolution can be placed on the December public meeting for approval. Council agreed to add the Resolution to the December meeting.

FIRE LANE ORDINANCE AMENDMENT

Mr. Burrell stated that Walt Bauer has submitted a request to add an additional fire lane to the ordinance.

Mr. Hatcher stated that the property requested is 8006 Route 130 North. If Council agrees, we can hold this until January since we don't have the required time to adopt before year end. After discussion, Council agreed.

Mr. Hatcher stated that he will let Mr. Bauer know the timeframe.

COMCAST WORKING HOURS

Mr. Burrell stated that Mr. Hatcher provided the email correspondence and it looks like Comcast will have a third party working on Tenby Chase Drive and they need amended work hours.

Mr. Hatcher reported that we caught them working and asked that they request approval on the extended working hours. They are working in the right-of-way and it is not that noisy of an operation. There have been no complaints but wanted to make sure Council was aware of the work. Council had no objection, Mr. Hatcher will notify them of the approval.

JIF DIVIDEND

Mr. Hatcher reported that JIF has issued the Township a dividend in the amount of \$64,719. There will be a secondary dividend that will be applied directly to the assessment. With this dividend, we are recommending that you apply the entire \$64,719 against next year's assessment as there will likely be an increase in the assessment. This doesn't take any action of the Council. The second item is the Township has approximately \$34,000 in the Aggregate Excess Liability Contingency Fund. Mr. Hatcher stated that he is recommending the Township use \$20,000 of those funds to offset any increase in 2022. With needing a Risk Management Consultant, there will be additional costs to the Township for that service. This action, will require a Resolution.

After discussion, Council agreed with the recommendations. A Resolution will be on the December public meeting agenda for approval to utilize \$20,000 from the Aggregate Excess Liability Contingency Fund.

REPORTS

Ms. Eggers – No report.

Mr. Hatcher – No report.

Mr. Catrambone – Mr. Catrambone congratulated the Delran High Boys' Soccer Team on their State Championship win. This is their first title since 2013.

Mr. Catrambone stated that Delran 7-Eleven VIP ribbon cutting will be held on Friday, December 3rd at 3:00 P.M. Delran 7-Eleven will also present a donation to the Delran Parents Music Association during the event and he would invite everyone to come out and extend their congratulations to the Marching Band as they won the US Bands National Championship. We will be honoring the band at our December public meeting.

Mr. Catrambone congratulated Delran High School student Colin Covington, who was selected to the US national choir. He was one of seven members selected from NJ. Mr. Catrambone congratulated the fellow students selected to the All State and All South Jersey choirs.

Mr. Catrambone reported that the Grocery Outlet grand opening has been delayed until after the new year. As of now, a soft opening is scheduled for December 30th. One of the owners was recently in a car accident, which caused the need for the delayed opening. Please support this new business when they are open.

Mr. Catrambone stated that many people have been asking about the masking requirement in the building. We understand that everyone is anxious to get back to normal but we are just not there yet. The number of covid cases in Delran is still concerning and we recently lost another member of the community. In the interest of public safety, we will continue to follow the guidelines set by the NJ Department of Health and the CDC. We encourage all residents to get vaccinated if they haven't already. If you are vaccinated, you are now eligible to receive a booster. Residents with any questions about vaccine or booster shots can find the information on the covid page on the Township website.

Mr. Siciliano – No report.

Mr. Winckowski – Mr. Winckowski reported that most of the traffic calming improvements on Grande Blvd. are complete. We are just waiting on the radar signs to be installed, which are currently on backorder. As for the traffic calming improvements on Tenby Chase Drive, they finished the bulk of the improvements with stripping and radar signs remaining.

The 2019 Road Program, which was on hold due to the County trail project along River Road. That project is ready to be closed out as the contractor has completed the paving.

The 2020 and 2021 Road Programs remain open with paving still needed along with paving on roads that will be completed by PSE&G and NJAW. We do not have a date yet for the paving from NJAW yet as they are backed up on projects. It will likely be in the Spring. Our contractor and the contractor for PSE&G will likely be paving in the next two weeks.

Ms. Parejo – Ms. Parejo echoed the comments from the Mayor. Ms. Parejo also congratulated Council President Burrell for recently passing the BAR exam.

Mr. Smith – Mr. Smith reported that as head into the holiday season we want everyone to get together and enjoy family and friends but also be safe.

Mr. Jeney – Mr. Jeney echoed the comments from the Mayor and wished everyone a Happy Thanksgiving.

Mr. Lyon – Mr. Lyon thanked the VFW for their Veteran's Day event.

Mr. Lyon stated that he is getting a lot of good feedback on the traffic calming improvements along Grande Blvd.

Mr. Lyon also echoed the congratulations to all of our youth in town and Mr. Burrell for passing the BAR.

Mr. Lyon wished everyone a Happy Thanksgiving.

Mr. Burrell – Mr. Burrell echoed the comments from Mayor and Council.

Mr. Burrell reported that a few elected officials attended the League of Municipalities Convention last week and attended the MEL training and was updated on some of the concerns with risk management. This training not only allow us to hear from great speakers but provides a \$250 discount per attendee on our insurance premium.

Mr. Burrell wished everyone a happy and healthy Thanksgiving.

PUBLIC PORTION

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

Mr. Burrell remaindered residents that if you would like to speak, please raise your hand and be recognized and approach front. Please state your name and address for the record. Please use your outdoor voice as it is difficult to hear through the masks. 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.

Robert Brown, 20 Providence Court stated that we do a lot of things to make sure residents pay their taxes, maybe we should think about a compensation for cooperation and contribution to reduce taxes.

Mr. Brown asked that Council consider an ordinance that allows anyone to be able to speak up, outside at any time, any hour as loud as they want on any topic, any word and any subject. Mr. Brown received a letter from his association violating regulations. Mr. Brown asked what an association is doing over our residents and how it is legal. He asked Council to look into this issue.

Patrick Duff, Haddon Heights residents, stated that the last time we were here some questions were asked and not answered. At the last meeting he asked if there were contracts over the \$44,000 that included both services. Some refused to answer and some said they were concept proposals. Mr. Duff stated that there were four contracts over \$44,000 that included all services. Mr. Duff stated that he sent in an OPRA request for emails related to the event and the only emails he received were from Colin Rafferty, nothing from Mayor and Council. An email on September 25th or 26th, Mr. Rafferty indicated that they were having an issue with the bidding threshold. The first question is what was the issue with the bidding threshold. Since the bidding threshold is \$44,000 and the current bid was \$61,500, we can figure that the issue may be that the bidding threshold is almost

\$20,000 less. In the next email, Mr. Rafferty goes on to say that the Solicitor told him to separate the quote and another word for separate is split. Mr. Duff stated that The Township took the same services and split the quote into two for the exact same amount, \$22,500 for the video services and \$39,000 for the stage/audio services. Mr. Duff stated that the main red flags with procurement fraud are even numbers and multiple contracts that create other contracts which has happened here. Mr. Duff stated that for Mayor and Council to say they didn't split the services doesn't make any sense, as it is clear that they didn't. To say you didn't there were no quote above \$44,000 is a lie and to release only Mr. Rafferty's emails is cowardly. Mr. Duff asked what the issue was with the bidding threshold mentioned in the email from Colin Rafferty and whether Mr. Siciliano told Colin to split the services.

Mr. Siciliano stated that he is not going to answer the question.

Mr. Burrell stated that all of his emails were provided and under review by the Solicitor's office and will be provided. There was no grand conspiracy in providing Colin's email earlier than the others. Mr. Burrell asked Mr. Siciliano to explain the procurement process.

Mr. Siciliano stated that the procurement process is very broad. The Township has an opportunity to obtain services in a number of manners. Mr. Siciliano stated that as he said before, no laws were broken and we continue to follow the law. As for the OPRA requests, the emails/documents are reviewed as they are received. Mr. Siciliano stated that that he is not going to answer a question on the meaning or intent of an email but he can categorically state that no illegal action was taken with regards to the local public contract law.

Mr. Burrell asked Mr. Siciliano if his office was involved in the procurement process and reviewed the information.

Mr. Siciliano stated yes.

Mr. Duff stated that at the last meeting Mr. Siciliano answered a question indicating that he was not aware if there was a company that could provide all services. If Mr. Siciliano was involved in the process, he would have known that.

Mr. Siciliano stated that he does not believe he made that statement.

Mr. Duff asked if there were contracts above \$44,000 that included both services.

Mr. Siciliano stated that he does not recall the answer.

Mr. Duff stated that Mr. Catrambone and Mr. Burrell both had some very telling remarks while campaigning. Mr. Duff stated that Mr. Catrambone mentioned he was eager to build his dedication to transparency in new ways. Residents have been asking questions for weeks and they haven't answered them, there have also not been any comments from other members of Council. Mr. Duff

stated that he will get the remainder of the emails and then he is done. This will be the last time they see him for a while.

Barbara Littleton, 317 Chestnut Street, stated that she is trying to get a little more information on how Council runs. Ms. Littleton asked if the Township has an audit done every year.

Mr. Burrell stated yes, we have an audit completed every year and they are all posted online.

Ms. Littleton stated that she wants to get back to the question she asked at the last meeting. Were there quotes, bid, proposals in the initial process that were above the \$44,000 threshold.

Mr. Burrell stated that the questions was answered at the last meeting. The RAC reached out to vendors in an information gathering process to figure out what was available in the budget. We then receive three quotes for the sound and three for the video. This was all done in consultation with the Solicitor's office. Mr. Burrell stated that it has been well established that there are quotes over \$44,000.

Ms. Littleton stated that in her opinion with quotes over \$44,000, we should have gone through the bidding process and that was not done.

Mr. Burrell stated that we did not go to public bid, we awarded the contracts through a non-fair and open process.

Ms. Littleton stated that hopefully they can see how alarming that is for the citizens of Delran. We have been coming here for weeks and have not been getting answers. We are not trying to attack anyone, we are just trying to understand the process. Ms. Littleton stated that she understands the Solicitor has stated that nothing illegal happened but she wants to see the documents.

Mr. Burrell stated that he doesn't take any offense to the questions. We refer to the Solicitor to guide us through the purchasing process.

Ms. Littleton stated that there is an email from Colin Rafferty that there is an issue with the bid threshold. She asked what that means.

Mr. Burrell stated that he is not able to answer that question.

Ms. Littleton stated that with the emails, you can see why the residents have these questions.

Ron Vandermark, 879 Lichtenthal Street, stated that he has been involved in the Fire Department for over twenty-eight years. In watching what has been going on, everyone up here has been quiet. Numerous questions have been asked and not answered. Mr. Vandermark stated that the arrogance that comes from the Solicitor is unbelievable. We are taxpayers in this town asking legitimate questions, why can't they be answered.

Mr. Burrell stated that as answered before, the whole process was done in with the advice of the Solicitor's office and they indicated that everything was done above board and followed the law.

Scott Ducko, 3 Glen Forest Road, Mt. Laurel Road, stated that the email from Colin Rafferty to Starlight stating that the Township Solicitor directed him that it must be two separate contracts. Mr. Ducko asked why it had to be two separate contracts.

Mr. Burrell stated that he does not know what email he is referring too.

Mr. Ducko stated that Mr. Siciliano stated that the emails were provided in a sequential format from when they requested but Colin's emails were requested after everyone else so that is not the case.

Mr. Siciliano stated that an OPRA request for emails were sent to the Clerk, once the emails requested are provided to the Clerk, they are sent to the Solicitor for review. The first emails received were reviewed and sent back to the Clerk to produce.

Ms. Ducko stated they are sent out in a way that best suits your needs.

Mr. Burrell stated that is not the intent and all emails with be provided.

Ms. Ducko asked what is bid splitting and what does it mean when the Solicitor orders that the contracts must be separated.

Mr. Burrell stated that the Solicitor's office indicated there was no bid splitting.

Pam Geary, 9 Aster Court, stated that her question is to everyone is that we are supposed to trust them but did they take an oath to uphold the constitution.

Mr. Burrell stated that is correct.

Ms. Geary stated that since Mr. Burrell passed the Bar exam recently, why is mask wearing not a law.

Mr. Burrell stated that he is not sure of the purpose of that question.

Ms. Geary stated that it is because it is unconstitutional.

Mr. Burrell stated that he is not sure he believes in that.

Ms. Geary stated that if you look in the Constitution, for where she needs permission to breathe freely, she can't find it.

Mr. Burrell stated that is not how the Constitution works but we can respectfully disagree.

Ms. Geary asked if a mandate is a law.

Mr. Burrell stated it is not.

Ms. Geary stated that if we all go to Dooney's right now we can all sit there without masks. Ms. Geary stated that she was there the other night and they had a band. There had to be a hundred people in there and we are all still alive. This is a public building, that we pay for and we shouldn't have to cover our breathing holes to walk into the building to find out what the Township Council is doing with their money, yes or no.

Mr. Burrell stated that if that is her interpretation of the Constitution.

Ms. Geary asked Mr. Burrell what his interpretation is, people can just make mandates for anything. A mandate is a superior telling an inferior what to do, it is a rule. At the last meeting the Mayor approached her and said maybe you aren't aware but we have a rule here. Ms. Geary asked if they work for us or we work for them.

Mr. Catrambone stated that he certainly works for the them.

Ms. Geary asked then why doesn't her mandate that she doesn't want to wear a mask because she has a god given right to breathe air override their mandate. If they work for her than she is the superior and the same goes for the Governor, he has no more right to mandate anything to her than Mayor and Council and deep down they know it.

Mr. Jeney stated that he will explain why he wears a mask and why he appreciates others wearing one to protect other. There is a global health crisis, many people don't want to wear a mask and put others in jeopardy.

Ms. Geary asked if his masks works why do you care if she wears one. Right on the box it states that it doesn't stop the transmission of viruses.

Mr. Jeney stated that it helps.

Ms. Geary stated it is a choice, she isn't telling them not to wear one, don't tell her to wear one. Ms. Geary stated that she will be back again with paperwork.

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