# DELRAN BURINGTON COUNTY WAS 15 FEB.

#### TOWNSHIP OF DELRAN

#### WORK SESSION

#### JUNE 27, 2023 | 7:00 PM

- I. Call to Order
- II. 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 6, 2023 and posted on the bulletin board on the same date.
- III. Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell
- IV. Work Session
  - a. Chester Avenue Road Division

#### V. Consent Agenda

- **a. Resolution 2023-90** Authorizing Award of Contract for Annual Maintenance and Repair of Sanitary Sewer System to J. Fletcher Creamer & Son in the amount of \$79,491.00
- **b.** Resolution 2023-91 Authorizing Electronic Tax Sale
- c. Resolution 2023-92 Extending Municipal Support for Rooted Of Delran, LLC to Receive One (1) Class 5 Cannabis Retailer License from the New Jersey Cannabis Regulatory Commission to Operate within the Township of Delran, Subject to Township Land Use Approvals
- **d. Resolution 2023-93** Authorizing CME Associates to Perform Engineering Services for the 2023 Road Program
- e. Resolution 2023-94 Authorizing CME Associates to Perform Engineering Services for the Wastewater Treatment Plant Service Water System and Aeration Blower Upgrades
- **f. Resolution 2023-95** Authorizing CME Associates to Perform Engineering Services for the 2023 Annual Report of the Delran Sewer Utility
- g. Resolution 2023-96 Authorizing Grass Cutting for Various Properties
- **h. Resolution 2023-97** Waiving Late Fee 2023 Vending Machine License for Vendomatic, Inc. in the amount of \$50.00

- i. Resolution 2023-98 Authorizing 2023-2024 Liquor License Renewals
- j. Resolution 2023-99 Refunding Firearms Permit Fee
- k. Resolution 2023-100 Emergency Procurement Resolution
- **l. Resolution 2023-101** Authorizing Award of Contract for the 2023 Road Program to South State, Inc. in the amount of \$995,000.00
- m. Approval of Minutes: May 23, 2023 Work Session Meeting
- **n.** Authorizing the Payment of Authorizing Award of a Contract for Bills including all purchases made under the Cooperative Purchasing Agreement
- **o.** A motion granting mercantile licenses to:
  - Nellie Bly's Ice Cream, 77 Hartford Road
  - Apimon, LLC, 1812 Underwood Blvd. Unit 3

Moved BySeconded By
Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell
Ayes:
Nays:
Approved:

#### VI. Reports

- **a.** Township Administrator Joseph B. Bellina
- **b.** Clerk Jamey Eggers
- **c.** Mayor Gary Catrambone
- **d.** Solicitor Mark A. Tabakin, Esq.
- e. Engineer Ed D'Armiento, CME Associates
- **f.** Council Members

#### VII. Public Comments

#### VIII. Adjournment

## A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR ANNUAL MAITENANCE AND REPAIR OF SANITARY SEWER SYSTEM TO J. FLETCHER CREAMER & SON IN THE AMOUNT OF \$79,491.00

**WHEREAS**, Delran Township held a public bid opening on March 22, 2023 for bids for the Annual Maintenance and Repair of Sanitary Sewer System (the "Contract"); and

WHEREAS, Delran Township received three bids for the Contract as follows:

	Name	Year 1	Year 2	Year 3
1.	J. Fletcher Creamer & Son	\$ 79,491.00	\$ 79,491.00	\$ 84,891.00
2.	Waters and Bugbee General	\$ 87,180.00	\$ 94,410.00	\$ 101,925.00
	Contractors			
3.	Mac-Rose Contractors, Inc.	\$ 103,860.00	\$ 110,784.00	\$ 117,699.00

WHEREAS, the Township Engineer has reviewed said bids, and a summary and recommendation dated June 22, 2023 is attached hereto and made part hereof as Exhibit "A"; and

WHEREAS, J. Fletcher Creamer & Son was the lowest bidder for this Project; and

WHEREAS, the bid submitted J. Fletcher Creamer & Son did not contain any irregularities which would deem their bid to be non-responsive; and

WHEREAS, as the Township has indicated no prior negative history between the Township and J. Fletcher Creamer & Son; therefore, J. Fletcher Creamer & Son is to be considered a responsible bidder; and

**WHEREAS,** a certification of availability of funds has been provided by the Chief Financial Officer; and

WHEREAS, this contract is being awarded pursuant to N.J.S.A. 40A:11-1 et. seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Delran that the contract for this project shall be awarded to J. Fletcher Creamer & Son, 101 East Broadway, Hackensack, NJ 07601 for Year 1 for a total contract amount of \$79,491.00 with terms in accordance with the bid specifications.

**BE IT FURTHER RESOLVED,** the appropriate officials and appointees be and they are hereby authorized to prepare, review and/or execute any and all necessary documents relative to this contract authorization.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: June 27, 2023 Witnessed by:	) RESOLV HP OF DEI		
Jamey Eggers, Township Clerk Township of Delran	ouncil Presi	dent June , 2023	

#### AUTHORIZING ELECTRONIC TAX SALE

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Government Services, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Township of Delran wishes to participate in an electronic tax sale.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Delran, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

<b>Dated: June 27, 2023</b>		
	SO RESOLVED.	
Witnessed by:	TOWNSHIP OF DELRAN	
Jamey Eggers, Township Clerk Township of Delran	Council President	

Date signed: June 27, 2023

## RESOLUTION EXTENDING MUNICIPAL SUPPORT FOR ROOTED OF DELRAN, LLC TO RECEIVE ONE (1) CLASS 5 CANNABIS RETAILER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY COMMISSION TO OPERATE WITHIN THE TOWNSHIP OF DELRAN, SUBJECT TO TOWNSHIP LAND USE APPROVALS

**WHEREAS**, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 (*N.J.S.* 24:6I-31, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" ("CREAMM") (the "Act"), which legalizes the recreational use of marijuana by adults who are 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act authorizes municipalities to adopt ordinances and regulations governing the number of cannabis establishments allowed to operate within their boundaries, as well as the location, manner and times of operations of such establishments; and

WHEREAS, on November 22, 2021, the Township Council of the Township of Delran adopted Ordinance 2021-13 which established up to four (4) Class 5 Cannabis Retail licenses for cannabis establishments to operate within the Township; and

WHEREAS, Ordinance 2021-13 establishes land use and development regulations for the locations and operations of (among other things) Class 5 Cannabis Retailer licenses, including zone district limitations and specific requirements for business location, lot size, building size, building structure, buffering, signage, allocation of building use, site plan approval, product consumption and odor control; and

**WHEREAS**, the Township has received inquiries from prospective licensees regarding the process for obtaining municipal support for Class 5 Cannabis Retailer establishments to operate within the Township and in response, the Township has requested that it be provided with sufficient information that would allow it to perform due diligence relative to evaluating a prospective licensee as to a potential ability to successfully, effectively and safely operate a retail cannabis dispensary within the Township; and

WHEREAS, in particular, a prospective licensee entity known as Rooted of Delran, LLC with a registered agent of CT Corporation Systems located at 820 Bear Tavern Road, West Trenton, NJ 08628 and a mailing address of 2075 E 14 Mile Rd., Birmingham, MI 48009, provided sufficient materials to support a recommendation of municipal support to the Cannabis regulatory Commission; and

**WHEREAS**, the Township provided said municipal support through June 1, 2023 for Rooted of Delran, LLC by Resolution 2022-181 adopted on September 27, 2022 (the "Supporting Resolution"); and

WHEREAS, the Supporting Resolution provided for an extension of the municipal support if Rooted of Delran, LLC made a request for renewal to the Township and provided proofs that it is diligently seeking retail licensure from the State of New Jersey and has provided sufficient information to support the Township Council's renewal through a duly adopted Resolution; and

**WHEREAS**, Rooted of Delran has made a request for an extension by correspondence dated May 22, 2023, and also provided additional information to support an extension of the Supporting resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Delran, in the County of Burlington, State of New Jersey, as follows:

- 1. The above recitals are incorporated herein as if restated in full;
- 2. The Township finds that Rooted of Delran, LLC, a New Jersey LLC, has presented the Township with sufficient information to provide for an extension of its municipal support, and that municipal support shall be extended and will expire on September 12, 2023 unless Rooted of Delran, LLC has:
  - a. Made a request for renewal to the Township, is diligently seeking retail licensure from the State of New Jersey and has provided sufficient information to support the Township Council's renewal through a duly adopted Resolution; or,
  - b. Has completed the State licensure process in toto for the purpose of operating a retail cannabis business in Delran Township, has obtained and provided the duly issued State license to the Township and has begun the process of obtaining land use approvals from the Township;
- 3. All other conditions and terms of Resolution 2022-181 remain in full force and effect and are incorporated herein as if restated in full;
  - 4. A certified copy of this Resolution shall be provided to Rooted of Delran, LLC; and
  - 4. This Resolution shall take effect immediately.

Council Member	Yes	No	Abstain	Recuse	Absent
Smith					
Jeney					
Apeadu					
Lyon					
Burrell					

	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President Tyler J. Burrell Date Signed: September , 2023

I certify that the above is a true copy of the resolution adopted by the Township Council of Township of Delran, Burlington County, New Jersey on June 27, 2023.						
	Jamey Eggers, Township Clerk Township of Delran					

## AUTHORIZING CME ASSOCIATES TO PERFORM ENGINEERING SERVICES FOR THE 2023 ROAD PROGRAM

**WHEREAS**, the Township of Delran has provided funding in Ordinance 2023-06 for the 2023 Road Program; and

**WHEREAS**, the Township Council desires to have CME Associates, the Township Engineer, complete the construction phase services for the project in an amount not to exceed \$128,700.00; and

WHEREAS, the CFO has provided a certification of funds for the engineering services.

**NOW THEREFORE, BE IT RESOLVED** that the Township Council authorizes and directs the Township Engineer to provide the above-mentioned services upon effective date of the ordinance according to law.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: Julie 27, 2023	
	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President Tyler Burrell
	Date signed: June 27, 2023

Datada I...a 27 2022

#### AUTHORIZING CME ASSOCIATES TO PERFORM ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT SERVICE WATER SYSTEM AND AERATION BLOWER UPGRADES

**WHEREAS,** the Township of Delran has provided funding in Ordinance 2018-08 and 2023-10 for the Wastewater Treatment Plant Service Water System and Aeration Blower Upgrades; and

**WHEREAS,** the Township Council desires to have CME Associates, the Township Engineer, complete the services for the project in an amount not to exceed \$36,800.00; and

WHEREAS, the CFO has provided a certification of funds for the engineering services.

**NOW THEREFORE, BE IT RESOLVED** that the Township Council authorizes and directs the Township Engineer to provide the above-mentioned services upon effective date of the ordinance according to law.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					_
Council President Burrell					

<b>Dated: June 27, 2023</b>	
	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President Tyler Burrell
	Date signed: June 27, 2023

## AUTHORIZING CME ASSOCIATES TO PERFORM ENGINEERING SERVICES FOR THE 2023 ANNUAL REPORT OF THE DELRAN SEWER UTILITY

**WHEREAS,** the Township of Delran has provided funding in budget line item 3-05-55-502-000-229 for the 2023 Annual Report of the Delran Sewer Utility; and

**WHEREAS,** the Township Council desires to have CME Associates, the Township Engineer, complete the services for the project in an amount not to exceed \$10,000.00; and

WHEREAS, the CFO has provided a certification of funds for the engineering services.

**NOW THEREFORE, BE IT RESOLVED** that the Township Council authorizes and directs the Township Engineer to provide the above-mentioned services upon effective date of the ordinance according to law.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

<b>Dated: June 27, 2023</b>	
	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President Tyler Burrell
	Date signed: June 27, 2023

## RESOLUTION AUTHORIZING GRASS CUTTING FOR VARIOUS PROPERTIES

**WHEREAS**, Chapter 89 of the Code of the Township of Delran provides that all properties shall be clear of weeds and high grass in order to provide better health protection; and

WHEREAS, when the property owners shall refuse or neglect to clear such high grass and weeds as required by 89-1 within ten days, the Township has determined to take action to declare this a "health hazard" and immediately authorize the Public Works Department to arrange for the cutting of the grass at these properties and to put a lien on taxes in the amounts listed below for the initial cleanup as well as the follow-up costs for providing grass cutting during the season to insure that the health hazard does not return during the course of the year.

<u>Address</u>	Initial Cutting/Yard Cleanup	Follow-up Cutting
73 Janeway Avenue	\$300.00	\$75.00
13 Stewart Avenue	\$175.00	\$65.00
15 Stewart Avenue	\$175.00	\$65.00
73 Hartford Road	\$275.00	\$55.00
830 Drexel Street	\$200.00	\$55.00

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Delran does authorize the Public Works Department to take the necessary action to provide for the cutting of the grass at the following properties as attached to this resolution and provide for this information to be forwarded to the Tax Office in order to put a lien on these properties until such time as they are maintained by the owners or responsible parties.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

**Dated: June 27, 2023** 

	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk	Council President Tyler Burrell
Township of Delran	

## WAIVING LATE FEE FOR 2023 VENDING MACHINE LICENSE FOR VENDOMATIC, INC. IN AMOUNT OF \$50.00

**WHEREAS,** Vendomatic, Inc. as requested waiver of the late fee due for their 2023 Vending Machine License due to not receiving their annual renewal notice; and

WHEREAS, after review of the request, it was determined that Vendomatic, Inc. did not receive proper notification for renewal; and

**WHEREAS,** at the Township Council work session on May 23, 2023, Council agreed to waive the late fee based on the information provided by the applicant.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Delran that the Township Council authorizes the Township Clerk to waive the late fee due in the amount of \$50.00 from Vendomatic, Inc. for their 2023 Vending Machine License.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

<b>Dated: June 27, 2023</b>	
	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President

Date signed: June 27, 2023

#### **AUTHORIZING 2023-2024 LIQUOR LICENSE RENEWALS**

**WHEREAS**, the following named applicants have applied to the Township of Delran for the renewal of their Alcoholic Beverage Licenses for the forthcoming year (2023-2024):

WHEREAS, they have duly filed the proper application;

**NOW, THEREFORE, BE IT RESOLVED** that the following named applicants be and are hereby granted the renewal of their Alcoholic Beverage Licenses in accordance with number appearing after their names.

CRAB DU JOUR OF DELRAN, INC. 0310-33-006-014
ANABG, LLC 0310-33-005-011

JALA LIQUORS, INC.

**BE IT FURTHER RESOLVED** that the Clerk of the Township of Delran is hereby authorized to sign the applications and is hereby further directed to forward a copy of said approval and applications to the Alcoholic Beverage Control Commission.

0310-44-003-005

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: June 27, 2023	
,	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk	Council President Tyler Burrell
Township of Delran	Date signed: June 27, 2023

#### REFUNDING FIREARMS PERMIT FEE

WHEREAS, the Police Department has received a payment for a firearms permit in the amount of \$150.00; and

WHEREAS, the fee was collected in error and a refund is needed; and

WHEREAS, the Police Department has recommended that the amount of \$150.00 be refunded as follows:

William Trout 9 Sylvan Court Delran, NJ 08075

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Delran that resident William Trout be refunded the permit fee of \$150.00 and that the Township Clerk file a signed copy of this resolution with the Police Department and the Chief Financial Officer.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: June 27, 2023	
,	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk Township of Delran	Council President Tyler Burrell
-	Data signad: Juna 27, 2023

#### **EMERGENCY PROCUREMENT RESOLUTION**

**WHEREAS,** an emergency has arisen as a result of the sanitary sewer line along Route 130 in the vicinity of 8001 U.S. Route 130; and

**WHEREAS,** N.J.S. 4OA:6-11 provides for the ability to enter into a contract in such an emergency without going through the competitive bidding process which includes Pay to Play regulations; and

**WHEREAS**, the approximate total amount of emergency is \$140,000.00; and,

**WHEREAS**, the exposure of this sanitary sewer line appears in the right of way of a major New Jersey State highway; and,

**WHEREAS**, the appropriate parties in both the New Jersey Department of Environmental Protection and the New Jersey Department of Transportation have been notified.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Delran, Burlington that the Township enter into a contract with Mobile Dredging and Video Pipe, Inc. and Valiant Energy Service, LLC. to make the necessary repairs in conformance with N.J.S.A 40A:11-6.

**BE IT FURTHER RESOLVED** that the Township has the necessary funds available for this repair in a capital account approved by Bond Ordinance 2022-13 for the repair to the Route 130 Sanitary Sewer Line or will become available in the 2023 Sewer Utility Operating Budget.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: June 27, 2023	
,	SO RESOLVED.
Witnessed by:	TOWNSHIP OF DELRAN
Jamey Eggers, Township Clerk	Council President Tyler Burrell
Township of Delran	Date signed: June 27, 2023

## A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR THE 2023 ROAD PROGRAM TO SOUTH STATE, INC. IN THE AMOUNT OF \$995,000.00

WHEREAS, Delran Township held a public bid opening on June 22, 2023 for bids for the 2023 Road Program (the "Contract"); and

WHEREAS, Delran Township received three bids for the Contract as follows:

	Name	Base Bid	Base Bid Less
			Deletion Item 1
1.	South State, Inc.	\$1,073,000.00	\$ 995,000.00
2.	Black Rock Enterprises, LLC	\$1,092,863.80	\$1,029,113.80
3.	Lexa Concrete, LLC	\$1,192,110.00	\$1,064,610.00
4.	Earle Asphalt, Co.	\$1,182,113.13	\$1,086,269.13
5.	Paving Plus, LLC	\$1,265,491.50	\$1,119,991.50
6.	Charles Marandino, LLC	\$1,239,375.00	\$1,194,075.00
7.	Seacoast Construction, Inc.	\$1,347,030.00	\$1,198,530.00
8.	Think Pavers Hardscaping, LLC	\$1,368,065.00	\$1,265,765.00
9.	RE Pierson Construction Co., Inc.	\$1,489,773.75	\$1,314,573.75

WHEREAS, the Township Engineer has reviewed said bids, and a summary and recommendation dated June 23, 2023 is attached hereto and made part hereof as Exhibit "A"; and

WHEREAS, South State, Inc. was the lowest bidder for this Project; and

WHEREAS, the bid submitted South State, Inc. did not contain any irregularities which would deem their bid to be non-responsive; and

WHEREAS, as the Township has indicated no prior negative history between the Township and South State, Inc.; therefore, South State, Inc. is to be considered a responsible bidder; and

**WHEREAS,** a certification of availability of funds has been provided by the Chief Financial Officer; and

WHEREAS, this contract is being awarded pursuant to N.J.S.A. 40A:11-1 et. seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Delran that the contract for this project shall be awarded to South State, Inc., 202 Reeves Road, Bridgeton, NJ 08302 for Base Bid less Deletion Item 1 in the amount of \$995,000.00 with

terms in accordance with the bid specifications.

**BE IT FURTHER RESOLVED,** the appropriate officials and appointees be and they are hereby authorized to prepare, review and/or execute any and all necessary documents relative to this contract authorization.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

<b>Dated: June 27, 2023</b>	CO DECOLVED			
Witnessed by:	SO RESOLVED. TOWNSHIP OF DELRAN			
Jamey Eggers, Township Clerk	Council President			
Township of Delran	Data signad: Juna 2023			