

**REGULAR TOWNSHIP MEETING  
MUNICIPAL BUILDING**

**December 17, 2008  
DELRAN, NJ**

**CALL TO ORDER**

**SALUTE TO THE FLAG**

**Sunshine Statement:** Be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice advertised in the Burlington County Times and Camden Courier Post on December 21, 2007 and posted on the bulletin board on the same date.

**ROLL CALL:** Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone were present.

**ALSO, PRESENT:** Mr. Paris, Mayor, Mr. Long, Solicitor, Mr. Hatcher, Administrator and Ms. Eggers, Municipal Clerk

Mr. Macey made a motion seconded by Mr. Morrow to approve of the work session minutes for October 10, 2008 and October 15, 2008.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

Mr. Macey made a motion seconded by Mr. Moran to approve of the regular meeting minutes for October 28, 2008.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

**ORDINANCES ON SECOND READING**

**TOWNSHIP OF DELRAN  
ORDINANCE 2008-12**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN,  
IN THE COUNTY OF BURLINGTON, NEW JERSEY,  
PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS IN AND FOR THE TOWNSHIP OF  
DELRAN AND APPROPRIATING \$131,000,  
THEREFOR, AND PROVIDING FOR THE  
ISSUANCE OF \$124,450 IN GENERAL  
IMPROVEMENT BONDS OR NOTES OF THE  
TOWNSHIP OF DELRAN TO FINANCE THE SAME**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Delran, in the County of Burlington, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement of purpose, such sums amounting in the aggregate to \$131,000, including the aggregate sum of \$6,550 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$124,450 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of various equipment for the Department of Public Works, including, but not limited to a pick-up truck and a spreader, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 45,000.00

<u>Maximum Amount of Bonds or Notes:</u>	\$ 42,750.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 2,250.00

- (b) Purpose: Improvements to various municipal facilities, including but not limited to acquisition and installation of a sprinkler system, acquisition and installation of insulation to the Pole barn and improvements to recreation facilities including backboards and backstops, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 41,000.00
<u>Maximum Amount of Bonds or Notes:</u>	\$ 38,950.00
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,050.00

- (c) Purpose: Acquisition of weapons and radar equipment for the Township's Police Department, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 45,000.00
<u>Maximum Amount of Bonds or Notes:</u>	\$ 42,750.00
<u>Period or Average Period of Usefulness:</u>	12 years
<u>Amount of Down Payment:</u>	\$ 2,250.00

(d) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(e) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the

purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.53435 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$124,450, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$7,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Township reasonably expects to commence acquisition of the projects described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The meeting was open to the public for comments.

There being no comments the meeting was closed to the public.

Mr. Macey made a motion, seconded by Mr. Morrow to adopt the ordinance on second reading.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

## **ORDINANCES ON FIRST READING**

### **TOWNSHIP OF DELRAN ORDINANCE 2008-13**

#### **AN ORDINANCE OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY TO PERMIT COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM**

Mr. Macey made a motion, seconded by Mr. Ogozalek, Sr. to adopt the ordinance on first reading.

There being no question, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN  
ORDINANCE 2008-14**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN AUTHORIZING  
THE EXECUTION AND DELIVERY OF AN INTERLOCAL SERVICES  
AGREEMENT BETWEEN THE TOWNSHIP OF DELRAN AND THE  
COUNTY OF BURLINGTON, NEW JERSEY RELATING TO OPEN  
SPACE IN THE TOWNSHIP OF DELRAN**

Mr. Macey made a motion, seconded by Mr. Ogozalek, Sr. to adopt the ordinance on first reading.

There being no question, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN  
ORDINANCE 2008-15**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN,  
IN THE COUNTY OF BURLINGTON, NEW JERSEY,  
PROVIDING FOR THE ACQUISITION OF  
PROPERTY IN AND FOR THE TOWNSHIP OF  
DELRAN AND APPROPRIATING \$2,000,000  
THEREFOR, AND PROVIDING FOR THE  
ISSUANCE OF \$1,900,000 IN BONDS OR NOTES  
OF THE TOWNSHIP OF DELRAN TO FINANCE  
THE SAME**

Mr. Macey made a motion, seconded by Mr. Ogozalek, Sr. to adopt the ordinance on first reading.

There being no question, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**RESOLUTIONS – CONSENT AGENDA**

Resolution 2008-137 Refunding tax Overpayments

Resolution 2008-138 Budget Transfers

Resolution 2008-139 Authorizing Year End Transfers

Resolution 2008-140 Releasing Performance Bond Letter of Credit for Chili's

Resolution 2008-141 Resolution Awarding Contract for Purchase of an Ambulance

Resolution 2008-142 Releasing Performance Bond for Route 130 Diner

Resolution 2008-143 Annual Meeting Notice

Resolution 2008-144 Releasing Planning Board Escrows

Resolution 2008-145 Resolution endorsing the Third Round Housing Element and Fair Share Plan and authorizing a petition for substantive certification to be submitted to the Council on Affordable Housing

Resolution 2008-146 Resolution of Intent to bond in the unlikely event that there is a shortfall in funding to fully fund the township's third round affordable housing plan

Resolution 2008-147 Resolution requesting review and approval of a municipal Affordable Housing Trust Fund spending plan

Resolution 2008-148 Resolution Authorizing Change Order #1 for 2007-2008 Road Program

Mr. Macey made a motion, seconded by Mr. Morrow to adopt the resolutions.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

**MOTIONS**

Mr. Moran made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mr. Macey.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

Mr. Macey made a motion, seconded by Mr. Morrow to accept the report of the Tax Collector/CFO and the Township Clerk.

There being no questions, the roll was called.

Mr. Paris, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

Mr. Macey made a motion granting the mercantile licenses listed below. The motion was seconded by Mr. Morrow.

1. Collins Cars, LLC, 207 A-16 Carriage Lane
2. Elite AMG, LLC, 207 A-14 Carriage Lane
3. Valstar, 207 A-13 Carriage Lane
4. Jolie's Gourmet, 5014 Route 130 North

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

Mr. Moran made a motion to authorize a special meeting on December 29, 2008 at 6:30 P.M. The motion was seconded by Mr. Macey.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5  
Nays: None

Motion Approved

## **REPORTS**

**Mayor** - Mr. Paris congratulated the Delran Cheerleaders for coming in first place in their competition in Florida.

Mr. Paris stated that himself and Mr. Hatcher have been working on the budget and they have hit it pretty hard. It was a very difficult thing to do. We are trying to continue with the safety of the town and the quality of service the town offers and keep the taxes as stable as possible. We are taking this very seriously and looking out for the best interest of all the residents.

Mr. Paris wished everyone a safe and healthy holiday.

**Mr. Hatcher** – Mr. Hatcher stated that the Burlington County JIF budget has been adopted and it is roughly a 4.75% increase. We have received a dividend just over \$40,000 which will be applied to 2009.

**Mr. Morrow** – Mr. Morrow thanked all the residents that are here tonight and wished everyone a happy holiday.

Mr. Morrow thanked the public works department for the terrific job they did with leaf collection.

Mr. Morrow encouraged the resident to recycle and stated that it really does help with the tipping fees.

**Mr. Moran** – Mr. Moran congratulated the cheerleaders for winning the National Championship.

Mr. Moran thanked the employees for their hard work and a special appreciation to Donna Ibbetson, Jamey Eggers and Jeffrey Hatcher. He also thanked all the volunteers in the community.

Mr. Moran wished everyone a great holiday.

**Mr. Macey** – Mr. Macey wished everyone a safe and happy holiday.

**Mr. Ogozalek, Sr.** – Mr. Ogozalek, Sr. congratulated the cheerleaders and wished everyone a Merry Christmas and Happy New Year.

**Mr. Catrambone** – Mr. Catrambone stated that he would like to echo those comments and thanked the employees and wished everyone a safe and happy holiday.

### **Public Portion**

Chetan Vajapey, 18 Stoneham Drive, stated that he would like to discuss the cable franchise ordinance. He would like to focus on Section 18. He stated that in Section 5 it states that this is a non-exclusive permit and he guesses that Section 18 is provided to meet a law that if we offer someone a less burdensome opportunity then Comcast would have the right to come back to the table.

Mr. Long stated that that is correct. The ordinance is approved by the Board of Public Utilities and he does not believe that Council would allow someone to come in with a less burdensome agreement.

Mr. Vajapey asked how a 2% gross receipt return to the township is determined.

Mr. Long stated that it is the most allowed by statute. He stated that the township has set the bar very high and also received additional money to be used for our road programs.

Mr. Vajapey asked if we have set the bar too high which will stop other suppliers from coming into town.

Mr. Long stated that he does not believe so.

Mr. Vajapey stated that he noticed that this month we paid \$334,565.00 for tipping fees. He asked if there is something we can send out stating how much we can save if we recycle.

Mr. Moran stated that the county sent out a brochure stating what the county wide savings would be.

Mr. Vajapey asked if we got the funding for the recycling pilot program from the county.

Mr. Catrambone stated that they paid for half of the containers.

Mr. Vajapey asked if it is successful will we continue to receive funding.

Mr. Macey stated that we do not know if the county will continue to fund the program.

Mr. Vajapey asked how we can track the amount of increase in recycling.

Mr. Hatcher stated that the County has provided us with an estimate of the numbers and we have a pretty good idea of what our current tipping fees are. We hope to see the numbers go up on the recycling end and the numbers come down on the tipping fees for trash.

Frank Diluzio asked what the special meeting on December 29<sup>th</sup> is being held for.

Mr. Macey stated that it will be held to speed up the process on the bond ordinance needed for the purchase of the Myers Tract.

Mr. Diluzio asked how many homes are in Delran.

Mr. Macey stated approximately 6,000.

Mr. DiLuzio asked how much money Comcast gives back to the township.

Mr. Hatcher stated that it is just under \$100,000.

Mr. DiLuzio stated that we are not getting very much for 6,000 homes.

Mr. Macey stated that the gross receipts returned to the township are the maximum allowed by statute.

Mr. DeLuzio stated that we should try to get that amount increase.

Mr. Moran. made a motion, seconded by Mr. Macey to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers  
Municipal Clerk