

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**AUGUST 26, 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. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone were present. Mr. Macey was absent.

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

Mr. Moran made a motion seconded by Mr. Ogozalek, Sr. to approve of the regular meeting minutes for June 22, 2008.

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

Mr. Moran made a motion seconded by Mr. Ogozalek, Sr. to approve the work session meeting minutes from July 2, 2008 and July 16, 2008.

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

ORDINANCES FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2008-6**

**AN ORDINANCE AMENDING ORDINANCE 2005-36 ESTABLISHING
PROCEDURES FOR THE PRESERVATION OF AFFORDABLE HOUSING
CONTROLS WITH RESPECT TO DESIGNATED UNITS IN THE TOWNSHIP
THROUGH PURCHASE OF UNITS OR ASSIGNMENT OF MORTGAGE
RIGHTS**

Mr. Morrow made a motion, seconded by Mr. Moran to adopt the ordinance on first reading.

There being no question, the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

ORDINANCES ON SENCOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2008-7**

**AN ORDINANCE AMENDING CHAPTER 235, SECTION 3 OF THE CODE OF
THE TOWNSHIP OF DELRAN**

WHEREAS, it has come to the attention of the Township Council that the provisions of §235-3 of the Code of the Township of Delran essentially duplicates the provisions of N.J.S.A. 2C:33-1 *et seq.* and, particularly N.J.S.A. 2C:33-2; and

WHEREAS, the Township Council is satisfied that the legislature intended to pre-empt local regulation of the offenses covered by N.J.S.A. 2C:33-2 which opinion has been confirmed by the Courts of this state; and

WHEREAS, the Township Council desires firm and proper enforcement with respect to disorderly persons offenses that may occur within the Township; and

WHEREAS, it is, therefore, desirable to amend the Township Code to avoid confusion and eliminate any potential for challenge to such provisions;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Delran as follows:

SECTION 1. Section 235-3 of the Code of the Township of Delran is hereby repealed, deleted and replaced with the following:

§235-3. Public intoxication, public offensive language; obstruction of public passage; fighting and violent behavior.

Disorderly persons offenses such as public intoxication, public offensive language, obstruction of public passage, and fighting or other violent behavior shall be charged and prosecuted pursuant to the applicable provisions of N.J.S.A. 2C:33-1 *et seq.* It is the policy of the Township of Delran that persons comport themselves in accordance with the law and that these provisions shall be uniformly enforced within the Township.

SECTION 2. Should any portion of this ordinance be found void or unenforceable by a Court of competent jurisdiction, the remaining portions shall remain fully effective.

SECTION 3. This ordinance shall take effect twenty days after final passage and publication of notice of adoption in the manner prescribed by law.

SECTION 4. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of their inconsistency.

The meeting was open to the public for comments.

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

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

There being no question, the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2008-9**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN,
IN THE COUNTY OF BURLINGTON, NEW JERSEY,
PROVIDING FOR THE ACQUISITION OF AN
AMBULANCE IN AND FOR THE TOWNSHIP OF
DELRAN AND APPROPRIATING \$154,000
THEREFOR, AND PROVIDING FOR THE
ISSUANCE OF \$146,300 IN 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Delran, in the County of Burlington, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$154,000 including the sum of \$7,700 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$146,300 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is to provide for the acquisition of an ambulance, and including all other work and materials necessary therefor and incidental thereto.

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

(c) The estimated cost of the improvement or purpose 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 99% of 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 Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 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 \$146,300, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$1,500 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 improvement or purpose.

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 improvement or to payment of the obligations issued pursuant to this bond ordinance.

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 foregoing bond ordinance is approved

The meeting was open to the public for comments.

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

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

There being no question, the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

Mr. Moran made a motion to add to the agenda First Reading of the following ordinance. The motion was seconded by Mr. Morrow.

**TOWNSHIP OF DELRAN
ORDINANCE 2008-10**

AN ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING TOWNSHIP CODE (IDENTIFY CODE) THEREOF ENACTING AND IMPOSING "PAY TO PLAY" REFORMS WHICH WILL DISALLOW CONTRACTS BETWEEN THE TOWNSHIP OF DELRAN AND PROFESSIONAL BUSINESS ENTITIES MAKING CERTAIN POLITICAL CONTRIBUTIONS AND WHICH WILL WHOLLY DISALLOW PROFESSIONAL/BUSINESS ENTITIES UNDER EXISTING CONTRACTS FROM CONTRIBUTING POLITICALLY OR SOLICITING CONTRIBUTIONS AT THE MUNICIPAL LEVEL AND

**ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF
PROFESSIONAL SERVICES AGREEMENTS**

There being no question, the roll was called.

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

Ayes: 3
Nays: None
Abstained: 1

Motion Approved

Mr. Morrow made a motion to add to the agenda the following resolution. The motion was seconded by Mr. Moran.

TOWNSHIP OF DELRAN

RESOLUTION 2008-101

**AUTHORIZING THE TOWNSHIP OF DELRAN TO MAINTAIN
A PORTION OF PEACH TREE COURT LOCATED
WITHIN THE TOWNSHIP OF MOORESTOWN**

There being no question, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

RESOLUTIONS – CONSENT AGENDA

Resolution 2008-91 Cancelling 2008 Property Tax for totally disabled veteran

Resolution 2008-92 Extending grace period for tax payments to September 5, 2008

Resolution 2008-93 Cancelling lien and taxes for Block 125 Lot 14

Resolution 2008-94 Refunding a Tax Overpayment

Resolution 2008-95 Approving Raffle License 356 for Holy Cross High School

Resolution 2008-96 Appointing Gary Catrambone to the River Route Advisory Committee

Resolution 2008-97 Appointment of Douglas Long of Long Marmero & Mayer, LLP as Township Solicitor

Resolution 2008-98 Authorizing clean-up of 27A Stewart Avenue

Resolution 2008-99 Awarding contract for Police Uniforms to Oakwood Uniform in the amount of \$30,795.85

Resolution 2008-100 Authorizing Mayor to sign agreement with Riverside Township concerning usage of fueling facilities

Mr. Ogozalek, Sr. made a motion, seconded by Mr. Moran to adopt the resolutions.

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

MOTIONS

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

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

Mr. Catrambone made a motion, seconded by Mr. Moran to accept the report of the Tax Collector/CFO including the List of Uncollectible Taxes and the Township Clerk.

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

Mr. Ogozalek, Sr. made a motion granting the mercantile licenses listed below.
The motion was seconded by Mr. Moran.

1. Destiny Auto Sales, 207-28 Carriage Lane

There being no questions, the roll was called.

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

Ayes: 4
Nays: None

Motion Approved

REPORTS

Mayor – Mr. Paris presented a proclamation for Ovarian Cancer Month and Constitution Week. Mayor Paris stated that he wanted the public to know the reason they are having first reading on the pay to play ordinance is that they feel there is too much money spent on Municipal Election and this ordinance will limit the amount of contributions. He also stated that he is fortunate to have such a great Council and Administrative staff. We, Mayor and Council, were given the difficult task of putting together an Olympic size parade in just one week. I am so proud of the Delran Community, including the Fire Department, EMT, Police, Businesses, Associations, Public Works, Delran School Administration and residents. I would also like to give a special thanks to Bill Porreca, the parade coordinator who has done an amazing job. Everyone has worked so hard together to meet what I thought was an impossible schedule to meet. I am excited and it has been fantastic to see everyone pull together as one team and one family to show how passionate the Delran community can be for one of their own, the Lloyd family. The event is scheduled for Monday, Labor Day, at 10 A.M. The parade will start at the Vermes Soccer Field and continue down Tenby Chase Drive to Haines Mill Road and down Conrow to the High School. There will be guest speakers on the football field at the high school. Please come out

and support Carli, as she is not only a hero and resident, but an Olympic US Gold Medalist.

Jim Turcich - Mr. Turcich, Fire Commissioner, stated that he was invited by Mayor and Council to give an update to the residents. They have responded at 400 alarms, they have approximately 152 members including junior member, they have had 42 drills, and have 220 evening duties and 110 overnight duties. They have members sleeping at the stations to provide quick service. They are working on installing a fuel tank at the Bridgeboro Station and will be available to the Police and Public Works in the event of an emergency. That will be installed in the next two weeks. Mr. Turcich also stated that they are very proud of the junior member who placed first and second, with two teams, in a county competition last month. They are also purchasing an ambulance for the Emergency Squad.

Mr. Long – No report

Mr. Hatcher – Mr. Hatcher stated that there will be a pre-construction meeting tomorrow for Westover Drive and Jacqueline Avenue. After the meeting, we should have a timeline of the project. Also, he stated that he attended a meeting on August 21st regarding the paper cart project and other incentive to help people recycle. He will report on this at the next work session.

Mr. Morrow - Mr. Morrow thanked the residents for coming out tonight. One of the big issues talked about is the taxes in the state. The state is talking about raising the gas tax and possibly increasing the tolls. The problem is none of these are based on our ability to pay for them. How that affects the township is that it directly affects our budget. He hopes that when we start having budget meetings we have a full house to help us with this budget. He also mentioned that we are working on utilizing the Open Space that we have. Hopefully we can work with RAC. Mr. Morrow mentioned that Congressman Jim Saxton announced that nineteen schools would be receiving the Picture America Award and Delran is one of those schools. They will receive up to forty large reproductions of American art. The school is also part of an Education Data Service that saves about \$40,000 to purchase supplies at discounted rates.

Mr. Moran – Mr. Moran stated that he was amazed at how well the town came together in about two hours. There was a room full of people asking what they can do to help with the parade. Getting to know the people in this building and the Administrator and his staff, they are absolutely awesome. He hopes everyone can come out on Monday.

Motion Approved

Mr. Morrow made a motion to appoint Jon Hewko as First Alternate on the Sewerage Authority for a term to expire on January 31, 2013. This appointment will be made with no compensation.

The meeting was open to the public for comments.

Mr. Moran asked what the compensation would have been. Mr. Catrambone stated that the compensation would be \$1,000.

The motion was seconded by Mr. Moran.

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

Ayes: 4

Nays: None

Motion Approved

Mr. Catrambone – Mr. Catrambone stated Bill Porecca, who is running the parade has been doing a great job. He thanked Lynn Jenny for the support in the parade and for the wonderful things that Mr. Morrow announced. Mr. Catrambone stated to Mr. Rippy that he received the information that he requested from the last meeting and he will discuss it with him after the meeting. Over the last week, we have received a tremendous energy and community spirit. It is refreshing to see everyone working together to honor one of our own. He hopes to see everyone on Labor Day.

Public Portion of the meeting

Dolores Cannone, 910 Hubbs Street, stated that Mr. Morrow has mentioned Green Acres and she asked what the township has purchased. Mr. Catrambone stated that there are properties that we are trying to acquire but they are in litigation and can not be discussed. Mr. Hatcher stated that it has been a significant amount of time since we have purchased anything under Green Acres. Some of the properties that were purchased include, the Mitchell Tract, Lake Lonnie and Lanier Park. Nothing has been purchased in the last twenty years. Mrs. Cannone asked if the tax money is accumulating and Council answered yes. Mr. Morrow stated that he is interested in using the property that we have. Mr. Paris stated that we have put together a business association that will help us sponsor events for the residents.

John Friel, 7 Woodrush Court, congratulated the new Council members. He asked Council if we can control the illegal parking in front of Shop Rite. Mr. Hatcher will bring this to the attention of the Police Chief. Mr. Friel stated that he is glad to see that something good happened in Delran by Carli Lloyd winning the

gold. Also, he asked about the smell from the pumping station on Hartford Road. Mr. Morrow stated that the Sewer Authority has been taking steps to correct this issue. Mr. Ogozalek stated that they discussed this at the Sewer Authority meeting last night and they have checked everything. Mr. Ogozalek asked that as soon as there is an odor call the Sewer Authority day or night. Mr. Friel stated that he smells the odor around 8:00 P.M.

Jim Webster, 808 Drexel Avenue, asked if we have a schedule as to when Drexel will get paved. Mr. Catrambone stating that we are in a position where many of developments have roads that are in need of repair. Mr. Catrambone stating that he has spoken to a state senator and there is grant money out there. They are working on a plan to identify the roads and a timeline. Mr. Morrow stated that it is a difficult decision to make with the money we have. Mr. Morrow stated that we look for grant money. Mr. Catrambone stated that there is a list of roads in need of repair that was prepared by Public Works and our Engineer. Mr. Paris stated that the list is made up of Tier One, Tier Two and Tier Three streets. Mr. Webster asked if he could see the list. Mr. Hatcher stated that all the priority streets were done but there is an abundance of priority two, of which Drexel is one of those streets.

Diane Zierler and Connie Snowden, thanked the Council for their help with Jacqueline Avenue. She asked if the pre-construction meeting for the road project was open to the public. Mr. Hatcher stated no. Mrs. Zierler if the project will change because of the new Engineer. Mr. Paris stated that a few things have changed but nothing as far as trees. The items affected were changed were the base repair issues and drainage issues.

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

Submitted,

Jamey Eggers
Municipal Clerk