

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**July 24, 2007
DELRAN, NJ**

The meeting was called to order with a salute to the Flag by President of Council Chinnici.

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, 2006 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Chinnici and Mr. Hermansky.

ALSO PRESENT: Mayor Stellwag, Mr. Guest, Solicitor, Mr. Hatcher, Administrator, and Ms. Eggers, Clerk.

Mr. Macey made a motion, seconded by Mr. Paris to approve the work session minutes for June 20, 2007.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Mr. Paris, Mr. Chinnici and Mr. Hermansky voted aye.

Ayes: 5
Nays: None

Motion Approved

Mr. Macey made a motion, seconded by Mr. Hermansky to approve the minutes for June 26, 2007 Regular Meeting and Reorganization Meeting.

There being no questions, the roll was called.

Mr. Macey, Mr. Paris and Mr. Ogozalek and Mr. Hermansky voted aye. Mr. Chinnici abstained.

Ayes: 4
Nays: None
Abstained: 1

Motion Approved

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
COUNTY OF BURLINGTON**

ORDINANCE 2007-10

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING
CHAPTER 150 "CODIFICATION OF FEES AND COSTS OF THE
TOWNSHIP OF DELRAN" SPECIFICALLY SECTION 150-3
TOWNSHIP CLERK**

BE IT ORDAINED by the Township Council of the Township of Delran in the County of Burlington and State of New Jersey as follows:

SECTION 1. Chapter 150-3 Township Clerk is hereby amended as it relates to the licensing fees of dogs and cats in the Township of Delran.

Cat licenses:

Neutered or spayed \$13.00
All others \$14.00

Dog licenses:

Neutered or spayed \$ 12.80
All others \$13.80

SECTION 2. All other sections of the Code of the Township of Delran under Chapter 150 not modified by this ordinance shall remain in full force and effect.

SECTION 3. This ordinance shall take effect January 1, 2008.

The meeting was open to the public for comments, there being no comments, and the meeting was closed to the public.

Mr. Hermansky made a motion, seconded by Mr. Paris to adopt the ordinance on second reading.

There being no question, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Hermansky and Mr. Chinnici voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2007-11**

**AN ORDINANCE ESTABLISHING A POLICY WITH
RESPECT TO THE HIRING OF RELATED
INDIVIDUALS**

Mr. Macey made a motion, seconded by Mr. Paris to adopt the ordinance on first reading by title only.

There being no questions, the roll was called.

Mr. Macey, Mr. Paris and Mr. Chinnici voted aye. Mr. Hermansky and Mr. Ogozalek voted nay.

Ayes: 3

Nays: 2

Motion Approved

RESOLUTIONS – CONSENT AGENDA

Resolution 2007-53 Resolution Releasing Planning and Zoning Board Escrows

Resolution 2007-54 Supporting the Over the Limit Under Arrest 2007 Crackdown

Resolution 2007-55 Approving Raffle No. 335 Our Lady of Perpetual Help PTA

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

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Hermansky and Mr. Chinnici voted aye.

Ayes: 5

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. Macey.

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Hermansky and Mr. Chinnici voted aye.

Ayes: 5

Nays: None

Motion Approved

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

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Hermansky and Mr. Chinnici voted aye.

Ayes: 5

Nays: None

Motion Approved

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

Unitex International, 2702 Cindel Drive, Unit 3
McCollister's Transportation, 2800 Cindel Drive

There being no questions, the roll was called.

Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, Mr. Hermansky and Mr. Chinnici voted aye

Ayes: 5

Nays: None

Motion Approved

REPORTS

Mayor – Mayor Stellwag had no report.

Mr. Hatcher - Mr. Hatcher had no report.

Mr. Guest – Mr. Guest had no report.

Mr. Hermansky – Mr. Hermansky stated that Council passed an anti-nepotism ordinance tonight. Mr. Paris has worked with the Township Attorney to put together this ordinance. Mr. Hermansky stated that the ordinance is not a big deal but just a difference of opinion with certain areas of the ordinance and that is why Mr. Hermansky and Mr. Ogozalek voted no.

Mr. Paris – Mr. Paris first congratulated the police department for their apprehension of the sexual offender. Mr. Paris stated that do to the efforts of Cathi DeMarco, Fire Chief Bauer will be taking the truck out to Summerhill to determine the width needed for emergency vehicles. Mr. Paris stated that curfew on the lighted parks will be 9 pm when there is no permitted event and no later than 11 pm during an RAC permitted event. Mr. Paris stated that we are still waiting for the stated to approve the budget before we can determine which streets will be paved. The Delran Business Association had its first meeting and is headed by two banks. Mr. Paris stated that he will continue to reach out to more businesses. Mr. Paris stated that he was told by the Mayor that he was replaced on the RAC, since he took it personally that he was being attacked by the anti-nepotism ordinance. Mr. Paris stated that he was saddened by the passing of James Duda and sends his sympathy to his wife and family.

Mr. Macey – Mr. Macey stated that the next meeting for the Planning Board is August 8, 2007. There is one application to be heard which is for Chili's to replace the Lonestar. Mr. Macey stated that TAR Construction has asked for and been granted an extension until September.

Public Portion of the Meeting

Tom Tartaglia, 58 Springcross Drive, asked Council if there was any more discussion on using the tennis courts for additional parking at Summerhill. Mr. Macey stated that the tennis courts are far from existing parking and there is a basketball court located in between. Mr. Tartaglia asked if the children were using the basketball court. Mr. Macey stated that there are children there every night. Mr. Tartaglia stated that he walked back there at 10 pm and that kids were just standing around drinking and smoking. Mr. Chinnici stated that Mr. Paris reported on the curfew and Council is addressing that issue. Mr. Paris stated that as a resident of Summerhill he would like to see additional parking. Mr. Tartaglia stated that the tennis courts are not maintained and he will no longer use them for cheerleading. Mr. Macey stated that at the next work session

Council will discuss the possibility of removing the fencing around the tennis court.

Diane Zierler, 128 Jacqueline Avenue, stated that the group from Jacqueline Avenue has been coming to meetings since November 2006 concerning the repaving of Jacqueline Avenue. Mrs. Zierler asked about the \$760,000 which is in the 2007 budget for roads. Mr. Hatcher stated those funds are for the capital budget and that once the budget is approved we can use that seed money for financing the capital budget.

Regina Pierce, 28 Woodcrest Lane, asked if anyone has considered the volume of the sound system at the Football Field. In addition to the volume, Ms. Pierce stated that lights are also an issue. After some discussion, Council stated they will have Frank adjust the volume and also look into shields for the lights.

Thomas Morrow, 94 Pancoast Blvd., stated that he was at the Planning Board meeting and asked how long a retention pond was supposed to hold water. He was told no longer than 72 hours. Mr. Morrow stated that the retention pond on Hartford road has been holding water for a long time. Mr. Hermansky stated that there are different types of ponds and some are meant to hold water and Council will look into what type that is. Mr. Morrow stated that he attended the Planning Board meeting during the Walgreen's approval and is concerned with the excess traffic that the drug store will put on Fairview Blvd and then onto Pancoast. He also questioned about what time of day they will have deliveries. Mr. Hermansky stated that the deliveries will be during the day. Mr. Morrow stated that he does not feel there is any benefit to having a Walgreen's at that location. Mr. Paris stated that he was also at that meeting and the Planning Board shared in his concerns about the deliveries and the traffic. Mr. Morrow asked who was responsible for the deer carcass removal on Hartford Road. Mr. Hatcher stated that the township has a contract with the county and residents can call the police department and they will report it to the county. Mr. Morrow also stated that two businesses have closed at Hartford Corners and asked if it was the township's responsibility to get new businesses. Council stated that it is the owner's responsibility. Mr. Morrow said it is starting to get desolate.

Ziggy Baczynski, 131 Jacqueline Avenue, stated that the group from Jacqueline Avenue is interested in knowing what the schedule is for streets. He also stated that there are no other streets represented here and that Jacqueline Avenue would like to be number one since they are here. Mr. Macey stated that this is not how streets are rated based on the residents that show up. Mr. Baczynski stated that he would like a list of the streets that are priority. Mr. Hermansky stated that we will not be able to give them a priority until the budget is approved and we know how much money we have. Mr. Baczynski asked for Council to get bids so that they know how much each road will cost. Mr. Hermansky stated that they can not spend any money until we have a budget. Mr. Guest, Solicitor, stated that the township can not go out for bid unless they have the money to

award a contract. Mr. Hermansky stated that we have laws to follow. Mr. Paris stated that when we know about the budget we will schedule a meeting to discuss the roads and notify the residents.

Bob Lee, 865 Waterford Drive, discussed the noise from the Tenby Chase Swim Club and asked if the Township could set a noise curfew. Mr. Macey stated that within the last two weeks a meeting was held with two residents from Waterford Drive, Chief Alfonso, and swim club representatives to discuss this issue. Mr. Macey stated that those residents were more concerned with the everyday noise than the noise from the occasional social. Mr. Macey stated that as a result of the meeting, they have adjusted the speakers and came up with an acceptable volume and they also moved two speakers which pointed toward the houses on Waterford Drive. Mr. Paris asked that the noise ordinance be discussed at an upcoming work session.

Harry Zierler, 128 Jacqueline Avenue, asked how the roads that were completed in 2006 prioritized and did Council use the 1994 report. Mr. Hermansky stated that Council uses a number of things including the 1994 report and recommendations from the Engineer and the Public Works Supervisor. Mr. Hermansky stated that Council also has to consider the cost of each road and how that fits into the budget. Mr. Macey stated that each Councilperson had input into the roads in their area that they felt were in the greatest need of repair. Mr. Macey stated that Council is trying to be more efficient in choosing the projects. Mr. Zierler stated that they have been coming since November asking that Council make Jacqueline Avenue a high priority. Mr. Macey stated that he would support a mill and overlay on the worst section of Jacqueline Avenue but would not support a complete reconstruction. Mr. Zierler stated that they would like the best. Mr. Zierler stated that the residents are frustrated and would like something to go positive. Mr. Hermansky stated that Council is just as frustrated with the state holding up the budget. Mr. Hermansky stated that if we had an approved budget we would have been discussing capital already.

John Friel, 7 Woodrush Court, stated that back in May, he came in to discuss parking issue during athletic events and the way it is worded points him to be the bad guy. He asked that the minutes be amended. Mr. Macey stated that if he feels that he was misrepresented he would have no problem amending the minutes. Mr. Friel asked if the trees at the corner of Summerhill Drive and Hartford Road is a Township problem a homeowner problem or an association problem. He stated that it is hard to see anybody approaching the crosswalk with the trees hanging over. Council stated that it would be the property owner and they would look into it. Mr. Friel asked that if when the Fire Marshall comes out to Summerhill to measure the streets that he use a more legitimate tool instead of the wheel like possibly a laser. Mr. Paris stated that the Fire Marshall will be using the truck and that Cathi DeMarco will notify the residents. Mr. Ogozalek asked Mr. Friel that if the amendments were made to the minutes and approved at the next meeting would that be sufficient and Mr. Friel stated yes.

Joe Parento, 25 S. Bridgeboro Street stated that last year the Chairman of the RAC gave Council recommendations for the use of the tennis courts. Mr. Parento asked that Council wait until the use of the tennis courts is determined before they take the fencing down. Mr. Parento is concerned that taking the fence down will create a parking lot. Mr. Paris stated that he believes the fencing should stay up until they decide what to do with the courts. Mr. Parento also asked for a pole to be installed at the Summerhill Fields for the AA to secure to bathrooms so that they are not overturned. Mr. Hatcher will talk to Ed Bart.

June Dorworth, 1 Echo Avenue, apologized to Mr. Paris for the misconception. Mr. Dorworth asked about the rules and regulations for commercial vehicles from Lenny's Towing driving on Echo Avenue at all hours. Mr. Hatcher stated that the Police Department has not found him in violation of any township ordinances. Mr. Hatcher stated that the best thing to do is call the police when trucks are there. Mrs. Dorworth asked if there are any weight restrictions for vehicles in a residential area. Mr. Macey stated that she should contact the township to get those restrictions. Ms. Dorworth stated that as the owner of 11 Beechcrop Court, she called last week to have a vehicle towed and no one came. Mrs. Dorworth asked whom she is supposed to call. Mr. Macey stated that the township has been requested by the homeowners association to not enforce parking at this time.

Mrs. Snowden, 137 Jacqueline Avenue, asked for Mayor Stellwag to give his opinion on the roads. Mayor Stellwag stated that when this issue is discussed at a work session he will offer his opinion. Mrs. Snowden stated that an old survey was done by Ed Bart on the roads and asked if another survey would be performed. Mr. Macey stated that the Public Works Department works on the roads five days a week and the list submitted to Council has been compiled by Ed Bart. Mr. Paris stated that the rest of the determination would be between the Council and the Engineer.

Gary Catrambone, 261 Burning Tree Road, stated that it was his understanding that the RAC sits over the DAA and the seniors and dispenses funds and that the softball sits under the RAC. Mr. Macey stated the RAC oversees the use of fields for every organization. Mr. Catrambone stated that when the DGSA was formed that they split from AA. Mr. Catrambone asked if the AA is the official organization. Mr. Macey stated that the AA is as autonomous as the other organizations. Mr. Macey stated that years ago before any of them sat on Council the AA was recognized as the biggest organization and money was put in the budget for insurance and equipment. Mr. Catrambone stated that he is trying to understand why three members of the DGSA were recently appointed to the RAC by Council. Mr. Macey stated that he does not like to put labels on individuals and that the resumes of the individuals appointed to the RAC go beyond the DGSA. Mr. Macey stated that Mr. Tartaglia has at least one daughter on cheerleading and is involved in the coaching and he also has a son in

baseball, which are through the AA. Mr. Kahn stated that he has a daughter in cheerleading and is involved in roller hockey. Mr. Catrambone stated he is just trying to understand why Mr. Paris was suddenly removed. Mr. Catrambone asked how many members are on the RAC. Council stated that there are nine members.

Theresa Gillis, 226 Tenby Chase Drive, stated that she needed advise from Council because her neighbors are telling her that people are dropping off their trash at her property. Ms. Gillis asked what she can do about this issue. She stated that the residents do not recognize the individual. Mr. Hatcher stated that he will let Public Works and the Police know about this and they will patrol during those times.

Nancy Chinnici, 6 Astor Court, stated that she understands the anti-nepotism ordinance is a hot topic and would like to know how many instances of nepotism we have had over the last 25 years. Mr. Paris stated that he is not going to go into details but it does exist. Mrs. Chinnici stated that if this is such a hot topic there must be specific instances where this exists and she would like to know why this is such a hot topic. Mr. Paris stated that he feels that everyone should have equal opportunity for a position in the township and that is all he is asking for. Mr. Paris stated the section that Mr. Hermansky wanted removed would allow his daughter to work under him and he does not see that as proper. Mrs. Chinnici asked if we had specific cases of nepotism and have they negatively impacted the township. Mr. Paris stated that having family relations in this town impacts other people's opportunities for positions. Mrs. Chinnici stated that if we have a Delran Township resident that is most qualified they will not be considered if they are related to someone who happens to work for the township and asked then aren't we discriminating against them. Mr. Paris stated that this is in every town and a lot of business. Mrs. Chinnici asked then you would rather give that money out of town. Mr. Paris stated that he did not say that and he has no problems with looking first at Delran residents. Mrs. Chinnici stated that Mr. Paris has not given any reason and asked why he would not try to give more information to sway the other Council members to his side. Mr. Paris stated that we had our Solicitor work up the ordinance and we did make modifications and this was the best compromise. Then all of a sudden, several people had other ideas. Mr. Hermansky stated that it was not all of a sudden and that he had issues with this ordinance from the beginning. Mr. Paris stated that if Mr. Hermansky has other ideas we can take a look at modifying it but he is looking at getting this ordinance adopted. Mr. Hermansky stated that he did offer a modified ordinance last week. The next issue Mrs. Chinnici discussed was the article in the Burlington County Times regarding the nepotism ordinance that mentioned that her husband travels frequently with his job. Mrs. Chinnici stated that she does not feel that her family should be potentially endangered by this nepotism issue. Ken stated that he received a phone call from Todd McHale and all he said was that it was a two to two vote and that the Council President was not here. Mrs. Chinnici stated that was not the impression she received for Mr.

McHale. The next issue is in regards to Mr. Paris's website. Mrs. Chinnici stated that there was a vote on June 26 for Michael Chinnici to be made Council President and asked if that was a unanimous vote. Council stated that yes it was unanimous. Mr. Macey stated that Mr. Paris also seconded and voted on his replacement on the RAC. Mr. Paris stated that he did not realize when he voted because no one told him his appointment was up. Mayor Stellwag stated that they were his appointments and Council did not vote. Mrs. Chinnici asked why on his website does it say that the other Councilmen voted to make Chinnici Council President. Mr. Paris stated that he does not believe he put those words on there but he is glad she reads it because that means she cares.

Mr. Ogozalek stated that he would like to pass an anti-nepotism ordinance and began reading the ordinance but was interrupted.

Mr. Paris stated that he has been trying to pass this ordinance since last year and it was not until the second time at the second session that Mr. Ogozalek presented his ordinance.

Mr. Ahsan, 8 Beechcrop Court, asked if the resident will be getting notified of the results of the survey done by the Fire Marshall. Mr. Hermansky stated that once it is completed we will find out how to best notify the residents. Cathi DeMarco stated that the association will notify the residents of the finding and until then they will not enforce the parking.

Diane Zierler, 128 Jacqueline Avenue, asked what the \$84,600 in the budget under Safe and Secure Communities means. Mr. Hatcher reported that it was a grant that covered police salary and wages. Mrs. Zierler asked if since there was a rapist living in town do we have a system that notifies people in case something is wrong. Mr. Chinnici stated that police are working on a reverse 911 system.

T. J. Martino, stated that he recently saw that the Grande put up speed bumps and he asked if there was any consideration for speed bumps on Summerhill Drive. Mr. Macey stated that Council has discussed speed bumps and they would not install them on township roads because they are hard to maintain. The Grande installed them on private roads. Mr. Martino asked if there is anything that can be done with regard to the speeding. Mr. Macey stated that making the police aware and placing radar on the street.

Timothy Miller, 155 Oxford Road, stated that his street was also on the list to be repaved and that 100% of the residents signed a petition. He stated that there are many roads in the township that need to be done. Mr. Miller asked if the nepotism ordinance affects Civil Service employees. Council stated that it does not affect any position that is required to be hired off the Civil Service list. Mr. Miller asked how many people have been involuntarily removed from a position on a board in the past 10 years. Mr. Macey stated that it happens and in the past people have been removed because we felt we had a better candidate.

Shannon Gatti, 2 Dewberry Lane, asked if there are any plans for a light at the corner of Hartford Road and Conrow Road. Mr. Chinnici stated that Council will discuss this at a work session. Mrs. Gatti asked if anything can be done with the timing of the lights at the shopping center. Council stated that they are working along with the state regulations. Mrs. Gatti asked what can be done to stop people from parking right up to the corners on Summerhill Drive. She stated that it is hard to see when coming up Dewberry Lane and people are parked on both corners. Mr. Paris stated that after the study is completed Council will discuss with the police what can be done. Mrs. Gatti asked if there were any plans for a cut through between Dewberry Lane and Beechcrop Court. Council stated that they are not aware of any plans.

Ziggy Baczynski, 131 Jacqueline Avenue, stated that he does not envy Council and he respects what they are doing and their positions. He thanked Council for allowing the residents of Jacqueline Avenue to vent out and wanted Council to know that it means a lot to them and they appreciate it.

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

Submitted,

Jamey Eggers
Municipal Clerk