

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**NOVEMBER 28, 2006
DELRAN, NJ**

The meeting was called to order with a salute to the Flag by Council President Hermansky at 8:00 PM

The roll was called Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky were present. Mr. Chinnici was absent. Also present: Mayor Stellwag, Mr. Hatcher, Administrator, Mr. Guest, Solicitor, and Mrs. McPhee, Clerk

SUNSHINE STATEMENT: Be advised that the Township Council has given proper notice in accordance with the sunshine law in the following manner. Notice mailed to the Burlington County Times and Courier Post on December 20, 2005 and posted on the bulletin board of the same date.

Mr. Macey made a motion, seconded by Mr. Ogozalek, Sr. to approve the minutes for October 4, October 18, and October 24, 2006.

There being no questions, the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

PUBLIC HEARING – COMMUNITY BLOCK GRANT APPLICATION

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

Resolution authorizing the filing of the grant application #2006-97

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

There being no questions, the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

ORDINANCES ON SECOND READING

ORDINANCE #2006-15

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF
THE TOWNSHIP OF DELRAN CHAPTER 20-52 DIVISION OF POLICE**

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

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

There being no questions the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE #2006-16**

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 12, VEHICLE AND TRAFFIC CODE OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DELRAN, 2005" SPECIFICALLY 12.8, SCHEDULE XVIII TRUCKS OVER FOUR TONS.

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

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

There being no questions the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2006-17**

AN ORDINANCE TO ESTABLISH SALARIES FOR VARIOUS OFFICIALS OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND REGULATING THE MANNER OF PAYMENT OF SAME.

The meeting was open to the public for comments.

Chetan Vajapey 18 Stoneham Drive questioned the increase. Mr. Hatcher advised him that the increase is 4% as a result of contract negotiations. There being no further comments, the meeting was closed to the public.

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

There being no questions the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE #2006-18**

**AN ORDINANCE AMENDING CHAPTER 12, SCHEDULE
I, "TRAFFIC" OF THE GENERAL REVISED
ORDINANCES OF THE TOWNSHIP OF DELRAN AND
ESTABLISHING NO PARKING ZONES ON WILLOW
BEND DRIVE**

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

There being no questions the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

RESOLUTIONS – CONSENT AGENDA

Resolution releasing for the performance guarantee for the Glenbrook Development (Quaker Group) 2006-98

Resolution refunding planning board escrows #2006-99

Resolution releasing the performance guarantee for New Jersey Restaurants (dba) Taco Bell #2006-100

Resolution ratifying the contracts for the Chief of Police and Police Lieutenant #2006-101

Resolution refunding tax overpayments #2006-102

Resolution approving raffle licenses #2006-103

Resolution approving participation with the State of New Jersey in the Safe and Secure program #2006-104

Resolution awarding a bid for a brush chipper #2006-105

Resolution transferring funds #2006-106

Resolution authorizing purchase of an assignment mortgage 207 Wildflower Court #2006-107

Resolution releasing the performance bond for Condo's Section 1 through 5 at the Grande. #2006-108

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

There being no questions the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

MOTIONS

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

There being no questions the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

Mr. Macey made a motion accepting the report of the Tax Collector/CFO and Township Clerk. The motion was seconded by Mr. Ogozalek, Sr.

There being no questions the roll was called.

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

Ayes: 4

Nays: None

Motion Approved

Mr. Macey made a motion granting a mercantile license to: Santa Trees Delran Center parking lot and A Plus Auto Repair 3000 Route 130 North. The motion was seconded by Mr. Ogozalek, Sr.

There being no questions the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

Mr. Macey made a motion appointing James Bintliff to the Recreation Advisory Committee for a term to expire June 30, 2009. The motion was seconded by Mr. Ogozalek, Sr.

There being no questions the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

Mr. Macey made a motion authorizing bids for Four Wheel Drive Police Vehicle. The motion was seconded by Mr. Ogozalek, Sr.

There being no questions the roll was called.
Mr. Macey, Mr. Ogozalek, Sr., Mr. Paris, and Mr. Hermansky voted aye.

Ayes: 4
Nays: None

Motion Approved

REPORTS

Mayor

Mayor Stellwag appointed Paul Cethal to the planning board as alternate 1

Administrator

Mr. Hatcher stated that through the Emergency Squad, 64 of the Township employees have been trained in CPR under the JIF safety training program and have received their certification. He thanked the emergency squad for the training.

Solicitor

Mr. Guest had no report

Members of Council

Mr., Paris gave the following report;

First, I recently submitted a sample draft of my proposed anti-Nepotism ordinance. Council will be discussing this in the next work session and I will report back to the residents on our progress.

Second, I have been given a petition, signed by over 100 residents of Jacqueline Avenue, requesting that their road be a higher priority on the road repair list. Their road is just a mess and is seriously and dangerously in need of repaving.

Third, I want to present another petition to the Council from many of the Bridgeboro Road residents regarding the safety of their children. They address two issues; one, the need for a walkway between Creek Road and Nicholas Drive (over the bridge) and stepping up the enforcement of the 30 mph speed limit. Both issues should increase the safety of the children who walk to and from school and are not bussed. The speed that motorists are currently driving is very dangerous for people who have to enter and exit from their driveways on Bridgeboro Road. Traffic often exceeds 45-50 miles an hour. I am requesting that we look into additional speed limit signs or to commission a traffic study to see if the speed limit needs to be lowered.

Fourth, some residents of Ashley Crossing have raised some serious concerns about the noise, lights and trash from some of the stores in Hartford Corners. Specifically, they were asking if there was any way for the township to convince Lowes to curb the practice of making loudspeaker announcements all day long to the outdoor garden center. Maybe we could ask the Lowes management to either lower the volume in that area or reposition the loudspeaker to keep the sound from carrying into the neighborhood. They also brought up the fact that delivery trucks arrive in the middle of the night or very early in the morning and idle their engines until the store opens in the morning. In our discussion with the management, we should ask them to stop this practice or have the trucks go to a designated area near the highway and away from the homes. I have brought these issues to the attention of Jeff Hatcher our administrator, and he is currently addressing them. I am not trying to paint Lowes in a bad light. Lowes may not even be aware of these problems. I think that we need to contact them and I have confidence that they will address these issues for us.

Fifth, I have been asked numerous times for an update of the plans for the Route 130 corridor. The recent Burlington County Times article has sparked renewed interest and Bert and I have been communicating with each other so that I can get a handle on the plans for the corridor.

Sixth, we had a meeting with the residents of Bridgeboro Redevelopment Area a couple of weeks ago and I am very happy that we have begun to include the residents in the decision making process. If we can include our residents in this process before their lives are affected, I believe that this will help improve our ability to stay in touch with our neighbors.

Seventh, A couple of weeks ago my fellow council members attended the League of Municipalities convention down in Atlantic City. Attendance at this convention was paid for by the Delran taxpayers. I am requesting that the council and department heads put together one detailed report on the seminars and courses attended and how the information will help Delran. I think it would be beneficial to see how this

expense will help to manage township operations and expenses in a better and more efficient manner. I did not attend this convention because in the weeks leading up to this convention, I received numerous invitations from engineering firms, law firms, etc. inviting me to cocktail parties, dinners and desert parties throughout the three days. After receiving these invitations and talking with other Council members from other towns, I feel that this convention is nothing more than a networking event for political insiders. I hope that the report requested from the Delran officials that attended, will convince me that it is a worthwhile event that will benefit our town since it was at the expense of our taxpayers.

Finally, on a lighter note, I want to remind everyone of the Christmas tree lighting ceremony with Santa on December 1st at 7:00PM here at the municipal building.

Mr. Ogozalek, Sr. stated that he supports the project for Jacqueline Avenue and suggested that the street be given first priority on the next list of roads to be done.

Mr. Ogozalek, Sr. stated that he attended the convention, and stated that he has a booklet showing all of the work shops, speeches and seminars. He stated that every municipality in the State attends the convention. He finds the program to be very informative and mentioned one of the seminars on gang warfare that he attended.

Mr. Macey commented on Mr. Paris report and noted that the items in his report are not items discussed with the council prior to coming to this meeting. He stated that this isn't how the process works we have two work sessions where issues as mentioned by Mr. Paris are discussed. He stated that he agrees with the residents of Jacqueline Avenue about the condition of the road.

Mr. Macey stated that lot of the things on Mr. Paris's agenda we are hearing for the first time and Council hasn't had the opportunity to discuss them and make a decision of them.

Mr. Macey stated that one of the meetings at the league dealt with the JIF and by attending the meeting, the township saves money on their insurance premium. It is an effort of the JIF to alert council members to things that are going wrong in communities that causes the JIF to incur losses. There was a meeting at the league for this and also a meeting locally which most every member of Council attended prior to the league which saved the township \$250.00 for each member who attended, Mr. Paris didn't attend.

Mr. Macey stated that several weeks ago we received notification that we were awarded a grant under the Transportation Trust fund for continued improvements to Haines Mill Road. A portion of the road was done last year with Township funds. Mr. Macey stated in the past we applied for funds under the Transportation Trust Fund program and the money was used completely for Hartford Road. As in the past, we will wait to see if we get another grant for the same amount and combine the money which will enable us to do more of the road.

Mr. Hermansky had no report

Mr. Paris stated with respect to the Lowes issue, he did address with Mr. Hatcher. As far as the two petitions, he received them the past week and we did not have a work session. The people asked him to bring the matter to the public meeting.

Mr. Paris stated that as far as the league of municipalities is concerned, how many times do we have to attend these events and how long do the residents have to pay for them to attend. He asked can't just one of the member attend. Mr. Macey stated maybe you should have attended the convention and maybe you would have understood it.

Mr. Macey stated that this is a forum that Mr. Paris used in his election. He stated that the seminars are given and people across the State attend them.

PUBLIC PORTION OF THE MEETING

Connie Snowden 137 Jacqueline Avenue mentioned the condition of Jacqueline Avenue and made reference to Kathleen Avenue and Pancoast Blvd. Being done due to the fact that certain people lived on the road. Mr. Macey stated that roads are not selected based on who lives on the road, they are selected based on the condition of the road. Mrs. Snowden thanked Mr. Paris for his efforts.

Brian Shaller 120 Jacqueline Avenue mentioned all of the money coming into the township yet his road didn't get done. He stated that he had to hire an attorney in order to get his road fix due to the water in front of his home which made it difficult for his handicapped daughter. He asked where does the recommendation on the roads as to what is to be done come from. He was advised that it comes from public works and the Township Engineer. Mr. Hermansky stated that he senses his frustration and we hear you but we try and rely on our professional's recommendation. Mr. Hermansky stated that this is an opportune time as it is nearing budget time.

Mr. Ogozalek, Sr. stated that he recommended a few streets in his ward and not a one was resurfaced.

Diane Zierler 128 Jacqueline Avenue stated that she is an original homeowner and in all of that time, she has never seen anyone come through there to do any type of repair.

Mr. Zierler asked if he could see the priority list of the roads from 1994. The discussion on roads continued.

Mrs. McPhee stated that the estimate of roads done over the past 12 years is about 24 or 25 roads.

Mr. Paris stated that he would like to review the priority list of road with Mr. Zierler and Mr. Hatcher.

Mr. Hermansky stated that the small section of Haines Mill Road which was done last year cost \$400,000.00. Someone commented on the work done on Haines Mill Road. Mr. Macey commented that bids are awarded to the lowest bidder and can only be tossed out if we had a bad experience with them. With respect to Haines Mill Road, the road work passed the State standard.

Dan Pollack 139 Jacqueline Avenue stated that he hears yes as an answer in getting the road work done but wanted to know when. Mr. Hermansky stated that we are in the process now.

Mr. Hatcher stated that Council will be getting an operating budget from the Mayor on January 15th then Council will discuss it and introduce it by February 10th and adopted by March 20th noting that these dates are normally changed. Mr. Hatcher stated that we also need to have a capital budget which is a spending plan, it is not real money. Once the budget is adopted, Council needs to do an ordinance which spells out the road to be done.

Mr. Macey stated that our current extinguishing of debt is about 750,000 and we bond 1 1/2 times that every year. He stated that the 8 streets done this year, we spent million. He stated that one of the main issues for a member of Council in the State is maintaining the infrastructure of the town and keeping things that need to be repaired in good repair. He stated that as we continue to bond for million dollars worth of street every year, we are not extinguishing an equal amount of debt. He stated that roads are not the only thing we bond, we bond for salt spreader which enables us to keep our street clear after a snowstorm, chippers for the removal of branches and leaf loaders for the collection of leaves and police equipment. He stated that we will bond for streets next year.

Steve Lang 145 Jacqueline Avenue stated that cost of repairing street is going to go up as time goes on. He stated that the Township should look at another 10 year plan. He spoke at length on the issue of roads and the new municipal building.

Mr. Hatcher stated when the road study was done there was already a need for 30 million dollars worth of road improvements that needed to be done. Mr. Hatcher stated that this building costs \$3.5 million. The old building was based on 14 or 15 police officers and 6 or 7 public works employees. The police department was required to have certain facilities. He went on to say that there were public hearings were held on the expenditure of funds for this building. He stated when you start 30 million dollar behind the 8 ball; there is no way to catch up.

Mr. Paris asked if Kathleen Avenue and Diane Avenue were tier one streets. Mr. Hatcher stated that the last tier one street was done about 4 years ago and that was Waterford Drive. He stated that it appears that tier one streets are decided by the engineer and tier two streets are decided by the council. Mr. Hermansky stated that the tier two streets were decided by the engineer and public works department. Mr. Hatcher stated that he believes that Diane Avenue was put on the list as he recalls because the residents came to a meeting due to a water problem and icing problem.

Chetan Vajapey 18 Stoneham Drive touched on the issue of the roads, and the convention. He suggested that only several members of council attend. He stated that people question where all of the money is going which he questioned early on. He stated that the Council is in a bind as they only get 18% of the taxes and the biggest portion of the bill is payroll. He stated that Mr. Hatcher explained to him that should the Township limit the percentage of increase, it gets overruled through arbitration.

Mr. Vajapey stated that people can voice their opinion not only to Council but also to the State and County. He stated that the Council can't change the entire tax structure.

Mr. Ogozalek, Sr. commented on the issue of the convention he stated that one of the seminars was for newly elected Mayors and Council Members. The seminar dealt with budgets, procurements, ethics and purchases. He stated that Mr. Paris has been in violation of ethics since he has been elected. He stated that if Mr. Paris had attended the convention he would have understood things. Mr. Paris asked Mr. Ogozalek, Sr. where he violated ethics. Mr. Ogozalek, Sr. stated that this will come out at a future meeting. He stated that Mr. Paris's lawyer is his boss the democratic party. His political boss told him to come over here and agitate and aggravate us to no end, quote and unquote from the source.

Gina Reed 157 Oxford Road asked Mr. Ogozalek, Sr. about the league of municipalities and one of the session's he attended namely the one on gang wars. She asked about the details of the session. Mr. Ogozalek, Sr. gave a brief synopsis of the session. She stated that the county prosecutor's office has a program to work with municipalities in the county she asked if we are involved in or planning to get involved in the program. Mr. Ogozalek, Sr. stated that the Chief of Police works closely with the County on this issue. He stated that we are doing the best we can for Delran and the surrounding towns.

Mrs. Reed stated that last month the issue of the authority putting their minutes on the township web site was mentioned and Mr. Ogozalek, Sr. was supposed to bring the matter to the authority. Mr. Ogozalek, Sr. stated that it was mentioned to authority and he is now waiting for a response from the Mayor and Council on whether or not they would permit the authority to put their agendas and minutes on the township's web site. He explained that the authority is a separate entity and they don't have our own web site. Mrs. Reed stated that the authority could have a link like the emergency squad and fire department. Mr. Ogozalek, Sr. stated that the authority hasn't received approval from the Council Mr. Paris was in favor of having the authority minutes on the township web site.

Mrs. Reed asked if the authority would consider moving their meetings to 7:30 PM instead of conducting the meetings at 5:00 PM. She also asked if the Council can change the public meeting to 7:30 PM. Mr. Ogozalek, Sr. stated that we had an authority meeting last night and it was voted to continue the meeting at 5:00 PM. Mr. Paris asked if the authority can reconsider the time based on Mrs. Reed suggestion. Mr. Ogozalek, Sr. stated that he will check with the authority's solicitor to see if the time can be rescinded.

Mr. Winkler 110 Jacqueline Avenue stated that we are not talking about repaving Jacqueline Avenue; we are talking about reconstruction of the road. He thanked Mr. Paris for his efforts.

Mr. LaMonica 16 Navy Drive mentioned the white vans and the permitting issue. Mr. Hatcher stated that he did speak with the Chief of Police and they are not in the position to enforce the permitting issue. Mr. Hatcher stated that we received a copy of the opinion from the attorney which he will be provided to Mr. LaMonica.

Mr. LaMonica stated that he is also concerned that there are more people in the apartments than permitted. Mr. Hatcher stated that the Chief has meet with representative of Tenby Towne on the issue and they are still working on a solution.

He stated that one of the suggestions could create more of a parking problem since there isn't sufficient parking. If Tenbytowne was built today, they would be required to provide more parking.

Mr. LaMonica also mentioned the number of families living in the apartments which is producing the number of vehicles. He stated that he would like to see the Township address the number of people living in an apartment as he has heard that there are a number of people living in one unit. Mr. Hatcher stated that we can't go by rumors. we need to have a complaint about a specific unit. He stated that Tenbytowne is also interested in that issue.

Mrs. Lang 145 Jacqueline Avenue thanked Mr. Paris for the help he has given us but asked when we could expect the work to be done. Mr. Hermansky stated if we do roads next year and this is one of the roads selected it would be done late summer or early fall.

Mr. Hatcher stated that unless a preliminary resolution is done for engineering expenses there is no way the road would get done in 2007 due to the fact that the budget will not be adopted until the end of March then we have to proceed with a bond ordinance which is a long process so we could be looking at late fall and we haven't had good luck going roads this late in the year. He stated that Council could give consideration when reviewing the capital budget to have a resolution adopted for preliminary expenses prior to doing the ordinance. If this is done then we could look to having the road done by the end of the 2007 summer.

Mrs. Lang mentioned the comment made by Mr. Ogozalek, Sr. relative to Mr. Paris's ethics. She stated that it was a trashy thing to do.

Mr. Parento 25 Bridgeboro Street stated that the police did beef up patrols on Bridgeboro Street.

Mr. Parento mentioned that he sent a letter to the Mayor about 4 months ago concerning a position on the planning board. Mayor Stellwag stated that the gentlemen appointed this evening has been trying to get on the planning board for the past 3 years. A lengthy discussion took place on the issue.

Dan O'Mally 134 Jacqueline Avenue asked if we will be kept abreast on what is going on with Jacqueline Avenue. Mr. Hermansky stated that he can stay informed by attending the meetings. Mr. Paris stated that he will personally keep him abreast.

Joanne Bintliff 186 Forge Road stated that he husband asked her to thank the Township Council for appointing him to the Recreation Advisory Committee. She stated that her husband is very exciting about serving as he has other ideas that don't just involve sports.

Mrs. Bintliff stated that in Mr. Ogozalek, Sr. defense, she urges the residents in attendance to attend other meeting as it is not one sided it is two sided.

Mr. Parento made a comment about having a dumpster at the township building for residents to use.

Also, the resident at 138 Jacqueline Avenue mentioned a stack of branches on her street. She was advised that branch collection ended as the trucks are collecting leaves right now.

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

Motion to adjourn the meeting

Mr. Macey made a motion, seconded by Mr. Ogozalek, Sr. to adjourn the meeting at 9:38 PM. All were in favor, the meeting adjourned.

Submitted

Bernadette P. McPhee
Municipal Clerk

UNOFFICIAL