

**WORK SESSION  
MUNICIPAL BUILDING**

**October 1, 2008  
DELRAN, NJ**

**PRESENT:** Mr. Macey, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone.

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

**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 mailed to the Burlington County Times and Camden Courier Post on December 21, 2007 and posted on the bulletin board on the same date.

**ABRASIVE ALLOYS**

Mr. Tubito stated that they came about this property about two and a half years ago. He stated that sometime in May, he talked to Brain Guest and he stated that the township was going through the foreclosure procedures. He also talked to Lynn Curry and he understood that there were some changes with the boards and they decided to wait until those changes were made. They wanted to meet with the Development Review Committee. They presented the Council with pictures of the property. In April of 2006, they came to Council with a proposal to clean up the property, getting rid of the building and any environmental problems and constructing thirty, age fifty-five and older homes on the property. The market has changed in the last few years but they have a builder interested in this project. Mr. Tubito asked where the foreclosure stands at this point. Mr. Long stated that he does not have that information but he would look into it. Mr. Tubito stated that they have completed most of the work but need to wait until the township gets ownership of the property. They have plans to go to the Planning Board. They have been conducting investigations over the last two years and they provided Council the areas of concern on the property. They have had some impact to the soil sediment and limited ground water impact. They have taken samples and put in five monitoring wells to address areas of concern. They did find limited impact to ground water that boils down to nickel. They are very close to finishing the delineation of nickel and it is not really wide spread, but there are areas that require mediation in the form of soil removal. There are a couple of things that they still need to do to complete the process. Mr. Tubito stated that when the township has completed the foreclosure judgment then they would approach the Planning Board. Mr. Moran asked if when we get title then they would take care of everything and develop the property. Mr. Tubito stated yes, that once the foreclosure judgment is completed then they would go to the Planning Board for approval. Mr. Paris asked about the roads leading into the property. Mr. Macey asked how this plan compares to the last plan. Mr. Tubito stated that it is the same plan. Mr. Macey stated that we did discuss the developer improving the streets leading into the property and it was agreed upon. Mr. Paris stated that they also discussed the traffic flow. Mr. Tubito stated that a

traffic study will be done. Mr. Tubito asked about the COAH requirements. Mr. Long stated that twenty-five percent of the COAH units can be age restricted. Mr. Tubito stated that he would like some idea of where the requirements stand with this property. Mr. Tubito stated that they will look at the road improvements that were discussed. Mr. Macey asked if we could find the minutes from 2006 to see if the road improvements were agreed upon.

## **STORMWATER MANAGEMENT**

Mr. Hatcher stated that Mr. Valesi has provided a proposal for completing the storm water management. Mr. Valesi stated that he reviewed with Pennoni what has been completed. The next step is to map out the storm sewer outfalls. The first phase of mapping has already been completed and we need to finish the second phase. Once we locate the outfalls, we need to check for scour and monitor for illicit connections. We check for illicit connections through dry water flow. The next phase is the annual report which needs to be completed by May, 2009. The final item is the permit compliance inspection. Mr. Moran asked what an outfall is. Mr. Valesi stated that the outfall is the end of the pipe where the storm water discharges into a stream or an open area. Mr. Moran asked if this is done every year. Mr. Valesi stated that the mapping is done only once. We completed the first sector and need to complete the remaining sector by April 2009. Mr. Moran asked when the last time this was done. Mr. Valesi stated that they determined the need for this in 2005. They required everyone in the state to have a permit to discharge storm water. Mr. Moran asked if there was going to be any additional costs. Mr. Valesi stated that the illicit connection monitoring is an ongoing process. Mr. Moran asked if we could spread out the cost over five years. Mr. Paris stated that there is only \$8,000 left in this year's budget. Mr. Valesi stated he would like to see us at least do the storm water mapping, scouring, and illicit connection monitoring. Mr. Paris asked if Mr. Valesi foresees any additional projects. Mr. Valesi stated that the biggest project right now is the Swedes Run bank erosion. Mr. Hatcher stated that we will need to transfer money in November because we will go through the \$8,000 left in Engineering. The estimate provided for the storm water work is \$10,500. Mr. Morrow asked if during this process they find trouble spot, such as pipes that are in danger of collapsing that will be in the report. Mr. Valesi stated that what he does is look at the outfall and the condition of the outfall. They look for scouring which means that there is erosion. That would be included in the report because we will have to correct that in the future. The dry water flow is tested to see if there is any contaminate that would indicate an illicit connection. If there is no contaminate then they would contribute it to ground water flow. Improvements to the storm water system would be something done as a capital project. Mr. Catrambone asked Mr. Valesi to explain scouring. Mr. Valesi stated that it is when you have water that discharges out of a pipe in the atmosphere the ground below has the potential for erosion. There are usually stone pockets at the end of the pipe. If that is not done properly and the strength of the water coming out of the pipe is too erosive then it will scour. It will take the soil and deposit the sediment down

stream. If it continues to erode around the pipe, the pipe could eventually be sticking up in the air which may cause a collapse in the pipe.

### **NOTRE DAME DRIVE**

Mr. Catrambone stated that it seems that if we eliminated parking on one side it would eliminate approximately thirty-five parking spaces. That area would cover from the back stop at the large field to the entrance of the parking lot at the smaller field. Mr. Catrambone stated that it seems to him that the least amount of impact to the residents in making that area no parking would be to realign the lot to make room for those vehicles in the lot. There is the potential realign to the current parking lot to maximize the amount of cars. Mr. Catrambone provided Council with a map of the area. He recommended making a horseshoe parking area that could accommodate twelve vehicles. If the area was cleared around the old sewer plant, that could accommodate additional vehicles. There is also a flat area, which is closest to the big field that could be used for parking.

Mr. Paris stated that he is concerned about people driving across the fields if we cleared that area. Mr. Catrambone stated that there is a fence and that there is a steep slope. Mr. Catrambone stated that we could also increase the size of the fence on the one side of the field to eliminate foul balls from hitting vehicles.

Mr. Macey asked if there is already a road linking the parking lots on the map together. Mr. Catrambone stated that there is a small paved road for one lot to another but there is no road from the second to the third lot. Mr. Catrambone stated that we could use the millings from the road project to gravel the road area and the parking lots. That could save us some money. Mr. Macey stated that he is concerned that this may be a capital project.

Mr. Hatcher asked what Mr. Catrambone was planning for the first white box on the map. Mr. Catrambone stated that it could serve as a pathway to the back area. Mr. Hatcher stated that that area is where there is the biggest problem with foul balls. Mr. Catrambone stated that we may not need to use that for a lot but asked if we could put up a net. Mr. Hatcher stated that we have put up nets at other fields but there was no need at this field because there was no parking behind the backstop.

Mr. Hatcher stated that the biggest issue is that the lots are very sandy. Mr. Valesi stated that we may need a foot of millings. Mr. Catrambone asked if we will have a foot of millings from the road projects. Mr. Valesi stated that we will.

Mr. Morrow stated that as far as the foul balls goes people should park there at their own risk. Mr. Paris stated that it is aggravation that the residents do not need and if we can avoid parking in that area we should try to do that.

Mr. Moran asked if there is any way we can use the open space tax money. Mr. Hatcher stated that he would have to look into the referendum.

Mr. Catrambone asked Mr. Long what the legal ramifications are to foul balls hitting parked cars. Mr. Long stated that there is a sharing of the risks by the person parking there and the township since it is a municipal sponsored event. We would have a far greater issue if there was a person injured.

Mr. Moran stated that we need to look at the parking for the residents and that we did state at what cost we will allow a serious accident.

Mr. Paris stated that with the parking lot in the back we will be having people walk up hill to get to the field. We may need to install steps in order to prevent falls.

Mr. Long stated that there is some truth to that but the residents are assuming some risk being in a recreational area. The way we would word the resolution would be to mitigate the potential dangers on Notre Dame Drive.

Mr. Moran stated that we should have to have a path to field. He feels that this is a good idea. We have to force people to use the new parking lots.

Mr. Catrambone stated that we are going to have no parking on the field side of Notre Dame Drive from the big field to the opening of the parking lot. We will also mark those curbs at the resident driveway.

Mr. Macey stated that we would like to know the cost of creating the new parking lots. He also stated that by eliminating parking in front of the fields we will force parking further down on the street to people that did not have a problem to begin with.

Mr. Paris expressed his concern about parking on both sides around the curves on the street.

Mr. Catrambone stated that he feels we can have people use the lot instead of parking on the street.

Mr. Ogozalek, Sr. stated that we need to increase parking.

Council agreed to have the Township Engineer prepare a cost estimate.

Mr. Long discussed with Council about permit parking Notre Dame Drive. He feels that this will force people into the lots.

Mr. Paris asked if we could accommodate the amount of vehicles in those lots if we permit parked the street.

Mr. Catrambone stated that it was doubtful.

### **RECYCLING CARTS**

Mr. Hatcher stated that he gave Mr. Long the agreement and there needs to be amendments made. The County agreed to the amendments and we can move forward with the agreement.

Mr. Catrambone asked if the county will continue to pay for half of the carts if we choose to continue the program.

Mr. Hatcher stated that the county is starting this as a pilot program but it is the intent of the county to continue funding this project in the future. Mr. Hatcher also stated that the area that the county proposed for pilot program is in Tenby between Southview Drive to Fox Chase Drive because they were looking for 1,000 units and that area fell at 934 units.

Mr. Moran asked if the for five years we are only going to have 1,000 containers.

Mr. Hatcher stated that it would be up to the township if they wanted to continue.

Mr. Moran asked if this is a capital project or it would come out of the budget,

Mr. Hatcher stated that we would continue to pay for this out of the recycling tonnage grant. We know at this point that there is enough money from the grant to pay for this program. We will not know until we move forward if this grant will keep pace.

Mr. Paris stated that he received an e-mail from a resident who asked what we were doing to force businesses to recycle.

Mr. Hatcher stated that most businesses already do this. They provide the township with a report. We also write a letter every year. The Public Works Department will now be following up making sure this is done.

Mr. Moran made a motion to approve the recycling cart 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. Hatcher stated that we may want to also look into charging for the cost of the containers in the future. We will have to incorporate that into the fee ordinance.

### **MULBERRY STREET**

Mr. Paris stated that he asked for this subject to be put on the agenda because a resident at 15 Creek Road would like to finish the construction of their garage. The resident needs to go in front of the Zoning Board. Mr. Paris wants to make sure that Council is on the same page as far as if they want to access Mulberry Street they need to make the necessary street improvements.

Mr. Morrow stated that they do not want to do that. They park their cars in the driveway in front of the house. The resident was given the permit to construct the garage and then they were given a stop work order and told they had to go in front of the zoning board. The neighbors stated that they want the garage finished because it an eye sore. They want to use Mulberry as an access which they need to get permission from Council. At this point, all they want to do is finish the garage.

Mr. Hatcher stated that the permit does not show anything going out to an unimproved street. If it had shown that, it would have not gotten approved.

Council agreed that they will reach out to the Zoning Board and let them know that Council does not want the resident to be able to access Mulberry Street unless the improvements are made to township standards.

### **WALTON FARMS**

Mr. Hatcher stated that Mr. William Hyland, attorney for the builder, is questioning the inclusion of the maintenance clause in Resolution 2008-101.

Council agreed that Moorestown needed to come up with a reasonable number for the maintenance of Peach Tree Court.

Mr. Long stated that he will respond to Mr. Hyland asking for a \$25,000 escrow for the maintenance of Peach Tree Court.

### **ENGINEER'S REPORT**

#### **ROAD PROGRAM**

Mr. Valesi stated that there is not much new. They are ongoing with tree, sidewalk and curb removal on Jacqueline and Westover Drive. The residents

seem to be happy with the progress. They have someone out there overseeing the project full time and dealing with the resident issues.

### **PUBLIC PORTION**

**Mr. Morrow** - Mr. Morrow asked Mr. Hatcher if he gave him the information on Willis Street.

Mr. Hatcher stated that he should have received it in his packet but he will get him another copy of the memo.

**Mr. Hatcher** – Mr. Hatcher stated that the agreement for the Kostic Grant is being signed and returned to us. We will receive a check shortly.

Burlington County Detectives would like to hold a Christmas Luncheon and they would like to have food in one of the community rooms.

Providence House also requested to have a drug sniffing dog into one of their meetings.

Council agreed to both requests.

The Burlington County Joint Insurance Fund has announced the dividend and we have \$40,461. Mr. Hatcher requested that we apply the dividend to next year's assessment. If no one has any objections, we will adopt a resolution at the next public meeting. Council agreed.

Mr. Hatcher asked Council if they have any preference as to where they would like the Carli Lloyd poster placed. Council agreed to place to poster in the Clerk's Office in the view for the public.

**Mr. Macey** – Mr. Macey stated that he feels that it is very important for Council to understand what the requirements are for the next round of COAH. The largest portion of growth in the homes built were homes that were forced on us by a court decision. He would like to know the cost of asking COAH for a reevaluation of our assessment.

Mr. Long stated that he does not know what that cost would be. He asked if those homes were part of a settlement or a court decision.

Mr. Hatcher stated that he believes it was a settlement.

Mr. Long stated that he believes the township should look at purchasing a piece of property and have a third party developer manage the property. This would help the township meet their requirements and keep us out of the real estate business.

Mr. Macey also stated that he feels that they should keep the DRC in place.

Mr. Catrambone stated that they are in agreement to keep the DRC in place they would just like it to be a little more transparent.

**Mr. Catrambone** – Mr. Catrambone stated that some asked him why we could not do a three way stop at Hartford and Conrow.

He has talked to the Lloyd's about Hunter's Glen making the Circle Carli Lloyd's Circle. The Lloyd's requested that Council possibly name a street in her neighborhood after her. Mr. Catrambone will reach out to Hunter's Glen and let them know that the Lloyd's would like to hold off until the township made a decision on whether they will name a street after her.

At the next meeting, he will have a proposal on the website.

**Mr. Paris** – Mr. Paris stated that they received an e-mail from the Burlington County Chamber of Commerce. There were some ideas about developing the Vornado property.

Mr. Long stated that you should respond that you would be interested in sitting down with the developer to discuss this issue.

Mr. Paris stated that we have been having negotiations with health insurance companies for the last several months. The health insurance came in at an 8% increase, the prescription a 6.2% decrease and the dental was at a 0% increase. We have gotten it to a \$23,000 savings.

**TOWNSHIP OF DELRAN  
RESOLUTION 2008-110**

**CLOSED MEETING RESOLUTION**

**WHEREAS**, N.J.S.A. 10:4-6 et seq. (Open Public Meeting Act) provides for the exclusion of the public from public meeting for certain reasons; and

**WHEREAS**, it is necessary to close the conference meeting of October 1, 2008 for the following reason:

1. CWA Contract Negotiations
2. Apartment Complex Trash Collection - Legal Decision

**NOW, THEREFORE, BE IT RESOLVED** that the meeting is closed for the reasons above in accordance with the Open Public Meeting act.

Mr. Ogozalek, Sr. made a motion, seconded by Mr. Moran to adopt Resolution 2008-110.

There being no questions the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

Mr. Moran made a motion, seconded by Mr. Macey to end closed session and reopen the meeting to the public.

There being no questions the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

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