

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**October 28, 2008
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

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

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

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

Mr. Moran made a motion seconded by Mr. Macey to approve of the work session and action meeting minutes for September 10 2008.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

ORDINANCES ON SECOND READING

**TOWNSHIP OF DELRAN
COUNTY OF BURLINGTON**

ORDINANCE 2008-11

**AN ORDINANCE DETERMINING POSITIONS
ELIGIBLE FOR THE DEFINED CONTRIBUTION
RETIREMENT PROGRAM**

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S.43:15C-1 et seq.) to create the Defined Contribution

Retirement Program to provide retirement benefits to various county and municipal officials; and,

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

WHEREAS, the Township Council of the Township of Delran has considered the guidelines issued by the Local finance Board:

THEREFORE, BE IT ordained by the Township 'Council that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:
 - a. Business Administrator
 - b. Municipal Engineer
 - c. Municipal Prosecutor
 - d. Municipal Court Judge
 - e. Municipal Delran Sewerage Authority
 - f. Elected Officials
2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S.A. 43:15C-2:
 - a. Tax Collector
 - b. Chief Financial Officer
 - c. Tax Assessor
 - d. Registered Municipal Clerk
 - e. Licensed Uniform Sub-Code Inspector
 - f. Public Works Superintendent
3. If an individual is appointed to one of the positions listed in Section 1 and the individual is not serving in a position as described in Section 2 above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement program if that individual; **1. was an active participant in the Public Employee Retirement System on July 1, 2007 and continuously since that time; 2. has been appointed pursuant to a valid promotional process; 3. is appointed on a temporary, interim or "acting" basis to a position requiring State Certification as set forth in Section 2**

herein, and is, in pursuit of the required certification or 4. meets such other exceptions that may be approved by the Local Finance Board or the Division of Pensions and Benefits.

4. This ordinance/resolution shall be implemented, construed and subject to the aforesaid Chapter 92 of the laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board of the Division of pensions and Benefits.
5. Should any part or parts of this ordinance/resolution be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
6. A copy of this ordinance/resolution shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.
7. This ordinance shall take effect upon its passage and publications as required by law.

The meeting was open to the public for comments.

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

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

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

Ayes: 5

Nays: None

Motion Approved

RESOLUTIONS – CONSENT AGENDA

Resolution 2008-112 Refund a Tax Overpayment due to an incorrect assessment

Resolution 2008-113 Refund of Tax Overpayment due to Homestead Rebates

Resolution 2008-114 Setting date for Tax Sale

Resolution 2008-115 Cancelling Delinquent taxes

Resolution 2008-116 Waiving Interest on Tax Payment

Resolution 2008-117 Dedication By Rider for the John E. Kostic Grant

Resolution 2008-118 Approving Raffle License #358 for Church of the Holy Name

Resolution 2008-119 Authorizing the transfer of Vector Lightbars from the Police Department to the Emergency Squad

Resolution 2008-120 Authorizing the Public Sale of various equipment

Resolution 2008-121 Authorizing the Mayor to sign the Secure our Schools Grant

Resolution 2008-122 Refunding Zoning Board Escrows

Resolution 2008-123 Authorizing Mayor to execute the Stipulation of Dismissal for Delran Towne Center, LLC and enter into an agreement of sale

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

There being no questions, the roll was called.

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

Ayes: 5
Nays: None

Motion Approved

MOTIONS

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

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, seconded by Mr. Morrow to accept the report of the Tax Collector/CFO including the Certificate and Determination of Award for Bond Anticipation Notes and the Township Clerk.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

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

1. Piece Management, 8015 Route 130 South
2. Classic Auto Service, 130 Carriage Lane
3. Flor De Minas Services, 4000 Route 130 North
4. Accua Trading, 207 Carriage Lane, Unit 24

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

Fire Commissioners - Jim Turcich stated that the Open House for the Fire Department is November 1st at the Chester Avenue Station. They have just completed two weeks of Fire Prevention. They focused on pre-school to fourth grade. They are also working on the budget and the vote will be in February.

Mayor - Mr. Paris stated that in the upcoming months we will be reviewing the 2009 budget. Mr. Paris reminded everyone that the budget meetings are open to the public.

A resident asked when the meetings will be held.

Mr. Paris stated at the end of November beginning of December.

Mr. Morrow – Mr. Morrow thanked the police department for their quick response to a traffic study that he requested on Pancoast Blvd. He stated that they were out there on Sunday night.

Mr. Morrow stated that he also received concerns about the speeding on Swedes Run Drive. He stated that we are looking into a four way stop at the corner of Swedes Run Drive and Patricia Avenue.

Mr. Morrow congratulated Kevin Denney on his achievement for obtaining his Eagle Scout. This is the highest honor you can achieve as a boy scout.

Mr. Morrow stated that we are in the process of purchasing the Myers Tract. It will provide a tremendous amount of open space. It also limits the development in the community.

Mr. Moran – Mr. Moran discussed the new recycling program that will be beginning in Delran. This is a pilot program which will affect approximately 1,000 homes in the Tenby Chase area. The container will be sixty-five gallons and is for paper and cardboard only. The last collection day with the old carts will be October 29th. The new carts will be dropped off on October 31st and collection will begin on November 12th. The idea of this program is to increase the amount of paper we recycle. This will enable us to receive higher amount in the recycling grant. This will also decrease the tipping fees on the trash collection.

Mr. Macey – Mr. Macey asked if once the carts are dropped off will they no longer be collecting in old fashion.

Mr. Hatcher stated that they want to get away from the paper bag collections. We will have the option to use smaller containers if we find out that the residents are having trouble with the big containers. Mr. Hatcher stated that the county is working on having all recycling being mixed into the same container.

Mr. Macey stated that we are rolling this out as a pilot program because the county is allowing us to purchase the containers over five years and are also paying for fifty percent of the cost of the containers. The cost of the container is approximately fifty-eight dollars a can. Hopefully the county will keep this program going and we can take on the entire town.

Mr. Macey stated that we adopted a resolution tonight for the acquisition of the Myers Tract. The purchase price is 1.8 million dollars. We have been awarded \$300,000 in a Green Acres Grant and have been informed that we may be receiving an additional \$350,000. The county also has a program where they contribute twenty-five cents on the dollar for qualified properties. We have some issues that we need to work out in order to maximize the amount we will receive from the county. The acquisition will then cost the township \$700,000 for thirty-four acres. The value of this property is that it backs up to the high school.

Mr. Moran asked Mr. Hatcher if the residents will be getting notices about the recycling program.

Mr. Hatcher stated that they have already received the notices.

Mr. Ogozalek, Sr. – Mr. Ogozalek, Sr. congratulated Kevin Denney on his achievement of the Eagle Scout award.

Mr. Catrambone – Mr. Catrambone stated that we have moved forward tonight on the John Kostic grant. This was an \$18,000 grant and we will be improving the basketball court at Summerhill.

Mr. Catrambone stated that the purchase of the Myers Tract does not impact the tax payers. The cost will be paid out of the taxes already collected in the open space fund. This will allow us to pursue additional properties.

Mr. Catrambone reminded everyone that Friday is Halloween and asked that everyone be careful driving.

Public Portion

Mr. Hermansky stated that the Boy Scouts handed out the flyers for the recycling program.

Mr. Hermansky introduced Jordon Seville who is working on his Eagle Scout project.

Jordon Sivil stated that for his project he would like to work on Faunce Street and Brown Street parks. He would like to clean and re-paint the fence, spread mulch in playground area, build baseball bat holders, fix benches and clean up trash.

Mr. Hermansky stated that Jordon will be the leader on the project and other boy scouts and students will be working with him on the project. They would like Council's blessing on the project.

Mr. Catrambone asked for a vote.

Mr. Moran made a motion, seconded by Mr. Macey.

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

Dolores Cannone, 94 Hubbs Street, asked how much money the tax payers put into the open space fund.

Mr. Macey stated \$325,000 per year.

Mrs. Cannone asked how long the residents have been contributing to the open space fund.

Mr. Macey stated that this is the fourth year and this is the first purchase.

Mary Parento stated that as part of the Delran Business Association they are putting together a welcoming packet for new residents. She asked that they be allowed to add the township directory with the packet. Council had no objection to the use of the directory.

Mary Parento read the following letter:

When Town Council reviews the budget, I would like them to look with great detail the money that is currently being spent to maintain the township fields. I have looked at the expense report that is distributed at the general meetings each month and have noted a few of the expenses:

- Paint to line the fields for
 - Soccer
 - Baseball
 - Softball
- Quick dry
 - An item used to absorb water puddles in the infield of a baseball field
- Seeding of the fields
- Watering of the fields
- Lights on the fields at Summer Hill

Not included in the expense report are the man hours to:

- Cut the grass
- Paint the lines
- Prepare the fields to lay the grass seed
- Prepare the fields for tournaments by adding or removing pitching mounds
- Empty trash cans at all the fields
- Maintain and repair the bathroom facilities at Notre Dame (if not for organizations using the fields these facilities would not need so much attention)

The reason that I am noting these expenses is because they have added up into the thousands of dollars for the year. I have no problem with the town spending money to make our fields look nice so when other towns come here to play they are impressed.

The real expense that I would like Town Council to look at and reconsider is the money that is "given" to the Delran Athletic Association. The Delran Athletic Association (DAA) is its own entity and is in no way governed by Town Council nor the Recreation Advisory Committee (RAG).

My understanding of the original purpose of the Township supporting the sports program when it was first formed was to assist with keeping the registration cost down and to make sure that the children had the safety equipment that was required to play the sports. As with everything over the years things have changed. There are now other sports organizations that offer the same sports as the DAA.

I understand the Township allots \$16,500 per year to the DAA for sports equipment, pays for the required insurance that the OM must maintain to participate in many of the sports leagues and through the RAC is reimbursed approximately \$500 for the Home Run Derby that the DAA sponsors each year.

According to the balance sheet distributed at the last DAA meeting on October 23rd the balance in the Operating Checking Account as of September 30, 2008 was \$33,035.51. I understand that there still might be outstanding bills to pay and that the Winter Registration is just starting.

I do know that the DAA did not use all the money that was allotted to them by the Township yet and the money that the RAC allots for the Home Run Derby has not been collected by the DAA yet either. There are three sports seasons run by the DAA. One of them is completed, the second is more than half way through the season and the third is just beginning registration.

The DAA has been doing various fundraisers, running various snack bars, gets sponsors for teams (sponsor's names are placed on the back of uniform shirts), are paid by sponsors for signs that are placed on various fields and are paid by sponsors for logos that are placed on the DAA website.

The football program has been running a snack bar for many years with the money going directly back into the football program. Cheerleading is now using that snack bar to do some fund raising for their sport. Baseball has been running a snack bar that has allowed them to purchase a quad with a trailer so they can drag the baseball fields between games.

Before, any money raised by the DAA went into a general fund and was used to purchase equipment and uniforms as needed. If there was any money left then it would be used on some type of capital improvement. No sport fundraised specifically for themselves. Now it seems different.

The safety equipment for ALL the sports is obviously not being accounted for at the end of each season. The wrestling commissioner was just replaced by the board and they can not get any of the wrestling equipment from the previous

commissioner. Some of this equipment is the headgear - definitely a piece of equipment that is needed to wrestle and would be considered safety equipment. I believe wrestling ends around the end of February beginning of March and this equipment has never been collected and placed in the storage room that the township provides to the DAA at no charge. The board's comment was "We still have township money we will just use it to purchase new equipment".

The Town Council may see how the \$16,500 that they "give", but I think the word "donate" is more appropriate, is spent by the DAA, but they do not see where any of the money that the DAA collects is being spent. General members of the DAA do not see where the township money is being spent, as it is not reported in the Treasurer's Report. If Town Council took a look at the money that the DAA collects and spends they may see that there is no longer a need for the township to assist the DAA organization. My understanding is that Town Council required the DAA to provide the Council with a report regularly before but this has not been done by the DAA.

Many other townships do not support township sports programs. The organizations support themselves. With everyone looking at ways to save money - from the types of lights being used on down - this is one of the areas that a large savings could take place. The Delran Athletic Association should support itself.

I would rather see this extra money go to support the police department rather than an organization that is taking the money for granted.

Mary Parento also provided a copy of the balance sheet from the last DAA meeting.

Mr. Catrambone stated that Council will look into this issue.

Joseph Parento, 25 S. Bridgeboro Street, stated that he is on the DAA Board and they are taking the money for granted. They are buying things that they do not need. Children are being registered for several sports and they are only collecting the money for one sport. Other teams are also suffering.

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

Submitted,

Jamey Eggers
Municipal Clerk