

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**SEPTEMBER 23, 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. Morrow to approve of the regular meeting minutes for July 22, 2008 and August 26, 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

Mr. Morrow made a motion seconded by Mr. Moran to approve the work session meeting minutes from August 20, 2008.

There being no questions, the roll was called.

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

Ayes: 4
Nays: None
Abstained: 1

Motion Approved

ORDINANCES ON SECOND 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**

WHEREAS, the Township has established numerous residential housing units within the Township as affordable housing units in accordance with both Court Orders and the rules and regulations of the Council on Affordable Housing (COAH); and

WHEREAS, these units are retained as affordable units through the use of affordable housing controls recorded in the land use records of the County of Burlington in accordance with COAH regulations; and

WHEREAS, in the event of a foreclosure and sale of an affordable housing unit by the Sheriff, these affordable housing controls are cancelled and lost with respect to the subject unit thus removing it from the pool of available affordable units in the Township; and

WHEREAS, the Township recognizes its obligation to provide for affordable housing for its less fortunate citizens and the Township Council feels it is vitally important to retain affordable housing controls for their full term wherever and whenever possible; and

WHEREAS, the Township maintains a Housing Trust Fund created from contributions from developers and other sources for the creation and maintenance of affordable housing units in the Township; and

WHEREAS, the Township by purchasing either an assignment of mortgage or judgment or purchase of a specific unit in jeopardy of losing its affordability controls can resell such units to qualified individuals and maintain their affordable status utilizing the Housing Trust Fund with no impact on the local tax burden; and

WHEREAS, the Township by Ordinance No. 2005-36 established a fund for these purposes; and

WHEREAS, it has become necessary to increase the funds devoted to this purpose;

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

SECTION 1. It is hereby restated and reaffirmed that it is the policy of the Township of Delran to utilize available resources to preserve and maintain, where possible, the affordability controls on affordable housing units in the Township for the full term as initially established pursuant to COAH rules or otherwise on affordable residential housing units, or such other term as Township Council deems fair and appropriate.

SECTION 2. The Housing Trust Fund of the Township of Delran is hereby designated and authorized for use in saving and maintaining the affordability controls on affordable housing units threatened with or subject to foreclosure by mortgage holders. This Ordinance specifically authorizes the purchase of an assignment of mortgage, assignment of judgment, or other assignment of legal rights, of an affordable housing unit, including bidding for such unit at a foreclosure sale held by the Sheriff, subject to the provisions set forth below. A list of affordable units in the Township is annexed hereto as Exhibit "A". The sum of Three Hundred Thousand Dollars (\$300,000.00) of the Housing Trust Fund is hereby designated for this purpose.

SECTION 3. The Township Clerk shall continue to cause Exhibit "A" to be maintained and updated on a current basis so that Council has a readily available reference of residential units in the Township that are subject to affordability controls and available for purchase as set forth in Section 2. Whenever the Township Clerk or other Township official learns of a pending or threatened foreclosure action, judgment, or sheriff's sale involving a residential unit subject to affordability controls, such information shall be promptly provided to the Township Administrator for review and possible recommendation to the Mayor and Council for action.

SECTION 4. Upon a determination by the Administrator that a particular affordable housing unit is threatened with the loss of affordability controls through a foreclosure action by a mortgage holder, the Administrator shall so advise the Mayor and Council. In addition, the Administrator shall endeavor to obtain an estimated cost for the purchase of an assignment of mortgage, assignment of judgment, purchase of the residential unit, or other legal approaches for submission to Council for its use in determining further action.

SECTION 5. Council, upon receipt of appropriate information indicating that the affordability controls of a particular unit are in jeopardy may, in its discretion, authorize the purchase of an assignment or other rights in the unit, including purchase of the fee interest of by the Township at a sheriff's sale or otherwise. Such authorization shall be by Resolution of Council and shall set forth the maximum amount to be paid from the Housing Trust Fund for the

acquisition. The Resolution shall further require that the Township, as soon as is practical, resell the unit, or its interest therein, to a qualified affordable housing purchaser at the then maximum price permitted by COAH for the sale of such affordable housing unit. Such sale shall continue, or, if necessary, re-establish the affordable housing controls for the unit in question. The net proceeds of such sale (after transactional costs) shall be deposited in the Housing Trust Fund for future affordable housing use.

SECTION 6. In no event shall the Council utilize funds other than the Housing Trust Fund for the purchases authorized under this Ordinance. Furthermore, the maximum amount of Housing Trust Funds to be utilized at any one time for such purchases is Three Hundred Thousand Dollars (\$300,000.00). If such amount is expended for purchases under this ordinance, no additional purchases shall be made until monies are restored to the Housing Trust Fund from the resale of a purchased unit or units.

SECTION 7. 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 8. This ordinance shall take effect twenty days after final passage and publication of notice of adoption in the manner prescribed by law.

SECTION 9. 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. 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

ORDINANCES ON SENCOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2008-10**

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING CHAPTER 43
ENTITLED "PURCHASING" OF THE TOWNSHIP 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**

WHEREAS, Professional entities are exempt from established New Jersey Public bidding laws, specifically said exception being set forth under N.J.S.A. 40A:11-5; and

WHEREAS, Delran Township has recognized that there is a need for a fair and open process for the awarding of professional service contracts where other contracts and agreements which are not subject to public bidding, in order to address the concerns of taxpayers regarding political contributions and to engender trust in the process of local government and to insure that quality public services are received;

WHEREAS, the State of New Jersey has enacted N.J.S.A. 19:44A-20.5 which bars any municipality, agency or instrumentality thereof from entering into a contract in excess of \$17,500.00 (See N.J.S.A. 40:A:11-3) with business entity that has made a political contribution reportable pursuant to N.J.S.A. 19:44A-1 et seq. to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded unless said contract is awarded pursuant to a fair and open process.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Delran, County of Burlington and State of New Jersey, that the Township of Delran enact an Ordinance to be known as an Ordinance Establishing a Fair and Open Process for the Award of Professional Service Agreements, and said Ordinance shall read as follows:

An Ordinance Establishing a Fair and Open Process for the Award of Professional Service Agreements

Prohibition Awarding Certain Public Contracts

A. Any other provision of the law to the contrary notwithstanding, the Township, or any agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$15,000.00 as determined in advance and certified in writing by the Township, agency or instrumentality with a business entity that has made political contribution that is reportable by the receipt under N.J.S.A. 19:44A-1 et seq. to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any

candidate committee of any person serving in an elective public office of that municipality when the contract is awarded; and

A business entity that has entered into a Contract having an anticipated value in excess of \$15,000.00 with the Township or any agency or instrumentality thereof, except a contract that is awarded pursuant to a fair and open process, shall not make such a contribution reportable by the recipient under N.J.S.A. 19:44A-1 et seq., to any municipal committee of a political party in the Township if a member of that political party is serving in an elective public office of the Township when the Contract is awarded or to any candidate committee of any person serving in an elective public office of the Township when the Contract is awarded, during the term of that Contract.

B. When evaluating whether or not a person or business entity has made a contribution the following will be considered: If made by a natural person, a contribution by that person's spouse or child shall be deemed to be a contribution by that person; made by a business entity, a contribution by any person or other business entity having an interest in said business entity shall be deemed to be a contribution by the business entity.

C. When using the terms "business entity" and "interest" the following definitions shall be utilized:

(1) The term "business entity" shall mean any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any legal commercial entity organized under the laws of this State or any other State or foreign jurisdiction.

(2) The term "interest" shall mean the ownership or control of more than 1% of the stock, assets, or profits of any public held company and any percentage interest of a privately held or closed corporation.

Fair and Open Process

A. Any professional service entity or other business entity providing services to the Township of Delran shall be subject to a fair and open process. That fair and open process shall be set forth in subsection B below which shall establish a criteria for the fair and open process.

B. The fair and open process established by the Township of Delran shall require the following:

(1) Any professional position or service contract not subject to bidding that shall expire as of June 30 of that calendar year shall be advertised by the Mayor's office, appointing authority or Board as the case may be, in the official newspaper of the Township of Delran for publication of notices, and published on the Township's website, not later than June 10. The published notice shall set forth the name of the position or contract which is to become open, and set forth the criteria to be considered and materials required to be submitted by the applicant.

(2) Should the applicant be a professional requiring licensure in the State of New Jersey, said applicant shall be licensed for a period not less than 3 years.

(3) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.

(4) The applicant shall submit a resume which shall set forth information including, but not limited to the following (as applicable to a business entity or individual professional):

- (a) Full name and business address;
- (b) A listing of all post high school education of the applicant;
- (c) Dates of licensure in the State of New Jersey and any other State;
- (d) A listing of any professional affiliations or memberships in any professional societies or organizations, with an indication as to any offices held therein;
- (e) The number of licensed professionals employed by/affiliated with the business entity or the business entity which employs the applicant;
- (f) A listing of all special accreditations held by the individual licensed professional or business entity;
- (g) A listing of all previous or current public entities served by the business entity or licensed professional, indicating the dates of services and position held.

C. The Mayor, appointing authority or Board shall thereafter select the professional or business entity for the position so advertised which shall thereafter be confirmed or approved as required by law or Ordinance.

Limitations of Certain Contributors

A. Notwithstanding the above establishing a fair and open process, the municipality, any of its Boards or independent authorities shall not enter into an agreement or otherwise contract to procure professional, banking, insurance coverage services or any other consulting services from any business entity if said business entity has made any contribution of money or a pledge of a contribution, including in-kind contribution, to any Delran Township candidate or holder of a public office having ultimate responsibility to award a contract, or to a campaign committee supporting such candidate or office holder, or to any Delran Township Party Committee, or to any political action committee (PAC) that regularly engages in the support of municipal elections or municipal parties in excess of the thresholds specified in section B below within one (1) calendar year immediately proceeding the date of the contract or agreement.

B. Any business entity may annually contribute a maximum of \$300.00 each for any purpose to any candidate for Mayor or Council, or any other elected office that serves the citizens of Delran Township, or \$300.00 to the Delran Township Party Committee, or \$500.00 to the County of Burlington Party Committees, or to a PAC referenced in this Ordinance without violating section A of this subsection above. However, any group of individuals meeting the definition of a business entity under this section, including principles, partners and officers of the entity in the aggregate may not annually contribute for any purpose in excess of \$2,500.00 to all Delran Township candidates and office holders with ultimate responsibility for the award of the contract, and all Delran

Township political parties and PAC's referenced in this Ordinance combined, without violating section A of this subsection.

C. For the purpose of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

(1) The Township Council if the contract requires approval or appropriation from Council; or

(2) The Mayor of Delran Township, if the contract requires approval of the Mayor, or of a public officer who is responsible for the award of the Contract is appointed by the Mayor; or

(3) A Planning Board or Zoning Board if the contract requires approval or appropriation by the Board since Council would be required to approve an appropriation, and the Mayor appoints members of said Boards.

D. It shall be deemed a breach of the terms of the Delran Township Professional Services Agreement for a business entity to make or solicit a contribution in violation of this Ordinance, directly or indirectly through any third parties, intermediaries, or lobbyists. Any business entity found to violate this Ordinance shall be disqualified from being awarded any Delran Township violation, or the date that the violation is discovered.

E. It shall be the obligation of each business entity executing a public services agreement, that an authorized representative of said business entity sign a certification representing that the individual or business entity, as defined by this Ordinance, has not made a contribution in violation of this Ordinance. This provision is enacted so as to make the business entity responsible to the Township for such disclosure.

F. Due Process Hearing

Should it be determined that a violation of this Ordinance has occurred, the person or business entity as defined herein shall receive written notice of the violation as provided under Article 1 or Chapter 6(A) of the Delran Township Code, General Provisions. However, should the violator request a hearing as provided under Article 1, the hearing officer as provided under Chapter 6(D,E) shall be a retired judge of the Superior Court of the State of New Jersey, designated by Township Council.

Severability

If any of the provisions of this Ordinance, or the application of this Ordinance shall be found invalid, the remainder of this Ordinance, to the extent that it can be given effect or application, shall remain in full force and effect.

Effective Date

Nothing in this Ordinance shall be constructed as effecting the ability of any business entity to perform a public contract if that entity made a contribution to any committee during a period of one (1) year immediately proceeding the effective date of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance will take effect after adoption and publication according to law.

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. Macey voted aye.

Mr. Ogozalek, Sr. had some questions prior to voting. Mr. Ogozalek, Sr. asked the Mayor to explain the Pay to Play Ordinance. Mr. Paris stated that the intention is to model out political affiliation. Businesses and vendors would be held to no more than \$300 to a political campaign. Mr. Paris stated that he supports this ordinance and feels that there was a lot of wasteful expending on both sides during the last election. Mr. Ogozalek, Sr. asked the Mayor to explain why he is trying to adopt this ordinance now instead of prior to his election. Mr. Paris stated that the next election is upcoming and he feels that we should move forward and adopt this ordinance. Mr. Ogozalek, Sr. asked if the Mayor would be in violation of this ordinance if it was in place before his election. Mr. Paris stated yes and so would he. Mr. Ogozalek, Sr. stated that the paper this ordinance is written on is useless. Mr. Paris can work around the ordinance to justify his appointments. He made a change on the Planning Board to someone who contributed \$7,000 to his campaign.

Mr. Catrambone stated that Mr. Ogozalek, Sr. is discussing those who contributed to the campaign of Mr. Paris, Mr. Moran and himself. There were contributors who were appointed and appointments made to those who contributed above and below the new threshold being set today. In past years, the same practice was held. We are trying to make an effort to stop that. Mr. Catrambone stated that \$150,000 was spent on an election for three people whose combined salary would be in the \$8,000 range. It was ridiculous and Mr. Paris was fought hard to get this ordinance through. Some council members have supported it and some have fought it for various reasons. This is the second reading of this ordinance. The first reading was in August which was one month after we took office. Mr. Catrambone stated that he knows the ordinance is not perfect and that Mr. Ogozalek, Sr. has issues but based on the last election he recommends that we pass this ordinance.

Mr. Macey stated that this ordinance is something that we have hammered out over the last two months. Mr. Macey stated that he supports this ordinance. He was appalled by the amount of money spent on the last election by both sides. This ordinance tries to tighten it up and limit the amount contributed. Unfortunately, the ordinance is basically a model of the strictest ordinance allowed by New Jersey. Mr. Macey believes that this ordinance does not go far enough. For instance, the limit of \$300 and \$500 are things that you can go around. If the contribution comes once removed there is no way to find out the original source. The second issue is that the ordinance provides for a one year look back. Delran has an election every two years, which allows someone to load up in

year one and by the time the election comes we can only look back to the prior year. He fully supports this ordinance and only wishes it could be stricter.

Mr. Ogozalek stated that he is looking for a stricter ordinance.

Mr. Ogozalek, Sr. voted nay.

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

Ayes: 4

Nays: 1

Motion Approved

ORDINANCES FIRST READING

TOWNSHIP OF DELRAN COUNTY OF BURLINGTON

ORDINANCE 2008-11

AN ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

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

There being no question, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

RESOLUTIONS – CONSENT AGENDA

Resolution 2008-104 Refunding Tax Overpayments

Resolution 2008-105 Chapter 159 Recycling Tonnage Grant

Resolution 2008-106 Emergency Appropriation

Resolution 2008-107 Approving Raffle License 357 for VFW Post 3020

Resolution 2008-108 Authorizing the change in time of the work session meetings to 7:00 P.M.

Mr. Ogozalek, Sr. made a motion, seconded by Mr. Macey 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. Ogozalek, Sr.

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. Macey made a motion, seconded by Mr. Ogozalek, Sr. 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. Paris, Mr. Ogozalek, Sr., Mr. Morrow, Mr. Moran and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

REPORTS

Mayor – Mr. Paris stated that he wanted to recognize Lieutenant Williams and thank him for the submission of an application for Federal funding to improve security in and around our schools. This funding is a part of the Secure Our Schools Program. Delran Township was awarded a \$65,869 grant which will be used to place a digital camera security system in the high school. Mr. Paris stated that there is another issue that is very disappointing to him. After he was elected, he made changes to Township vendors and the Planning Board made also made changes to vendors. He stated that he removed Pennoni Associates as Township Engineer for several reasons. He was not satisfied with their work such as Shop Rite parking and Waterford Drive which cost the township residents money. When he negotiated current contracts, the new vendors were willing to come in lower than the past vendors were. They also provide caps and agreed to not do what Mr. Paris calls nickel and dime, which he saw much too much with past vendors such as Pennoni Associates. Just last night the Sewer Authority appointed Pennoni as a Special Project Engineer. Alaimo Associates, which the Planning Board also removed, is currently the Sewer Authority Engineer. Mr. Paris stated that there was no reason to have this position since the Sewer Authority stated it did not foresee any projects. Mr. Paris stated that he made a conscientious effort to negotiate lower rates, caps, to stop the nickel and dime billing and for professionals to accept responsibility for their work. This continues to show why we need a pay to play ordinance. Mr. Paris stated that he will make every attempt to abolish the Sewer Authority and take the Sewer Department under the Township's authority.

Administrator – Mr. Hatcher stated that branch collection will end on October 5th in order to start leaf collection. Please do not place branches or leaves within 10 feet of a storm sewer.

Solicitor – Mr. Long stated that he will need a closed session at the end of the meeting.

Mr. Morrow - Mr. Morrow thanked the residents for being here tonight. Mr. Morrow stated that at our last work session our Police Chief stated that a prior patrolman in the township has passed away and he stated that Council would like to send their condolences to his family. Mr. Morrow stated that he finds it very entertaining and gratifying to meet the residents in his ward. One of the things he is trying to encourage is for residents to attend the work sessions. He stated that they take place in the room next to the courtroom on the 1st and 3rd Wednesdays at 7:00 P.M. We will also be starting to work on the budget soon and will try and be very creative.

Mr. Moran – Mr. Moran stated that we have been trying to replace the bulbs in the courtroom to compact fluorescent and unfortunately they do not fit in the fixtures and he

will work on trying to get new fixtures. On the pay to play ordinance, Mr. Moran stated that he wants to let people when Mr. Paris was picking the vendors he never talk about the people contributed to his campaign. He feels Mr. Paris did a very good job at getting the vendor to come in at last years prices. He feels Mr. Paris did a real good job. Mr. Moran stated that Delran was one of the only towns in Burlington County to get a part of that grant and congratulated Mr. Williams.

Mr. Macey – Mr. Macey stated that if he thought we could pass a tougher pay to play ordinance he would. He would like to see on a town level us passing an ordinance that no one could take a dime. He would also like to contradict something that Mr. Morrow said. He does not believe the work sessions are exciting, he finds them exhausting. He stated that we hammer out a lot of the things that we say yes or no to at this public meeting. It does give opportunity for residents that may be having an issue and do not want to come to the public meeting.

Mr. Ogozalek, Sr. – Mr. Ogozalek, Sr. stated that Mr. Paris is right about the Sewer Authority appointing a Special Projects Engineer. It is also the first time that the township has had a Special Projects Engineer which was appointed by Mr. Paris. Mr. Ogozalek, Sr. stated that Mr. Paris appointed CMX Engineering as the Special Projects Engineer who is associated with a firm in North Jersey who has been indicted for paying off a Mayor and Council in North Jersey. In the headlines today, it stated that the founder of Schoor DePalma admitted to bribes.

Mr. Catrambone – Mr. Catrambone stated that it is valid that the founder of Schoor Depalma was indicted today. That gentleman resigned a few years ago. CMX was purchased by Schoor DePlama in July. There was no contact between him and CMX.

Jim Bauer - Mr. Bauer, Fire Commissioner, stated that they have responded to 438 alarms, they have approximately 154 members including junior members, they have had 188 hours of training, and have 250 evening duties and 127 overnight duties. Since moving the station to Chester Avenue and bringing the duty crews in house, they have lowered their arrival time to six minutes and eight second from twelve or fifteen. They have a member who is serving in Iraq as a medic and another member shipping out in January with a helicopter crew. They have also hired a new fire inspector.

Public Portion of the meeting

Mr. Catrambone stated that a letter has gone out to the residents on Notre Dame Drive and Court inviting them to attend tonight's meeting to discuss parking concerns. Mr. Catrambone stated that this meeting is meant to be a fact finding mission and no decision has been made or will be made tonight. The police have recommended a one-way street he feels because it is the most enforceable.

John Nark, 33 Notre Dame Drive, stated that Notre Dame Drive has three baseball fields and a playground. The speed limit is twenty-five miles and the speed limit sign is placed right next to sign that says slow children at play. There is a no bus parking sign with the writing about two inches. There is a no golfing sign which is bigger than the speed limit sign. There are a lot of things that could be done. In the beginning of May, he contacted the township Administrator and told him that there was a problem there. He agreed and told him to put together a list of people and their recommendation of what they would want to do there which he did on May 13th. When he checked up, he was told that only the state could designate a one-way street when he checked back he was told it was approved and they were waiting for the signs. He thought that they had won the battle. He forgot about it for a while and then got back to the Administrator and asked what happened and he was asked what happened about what. He requested that the petition he circulated be added into the minutes, which is dated May 13, 1980. Mr. Macey stated that he is right that it would require state approval and would like to see if it was ever approved as a one-way street. Mr. Nark stated that he is right across the street from third base and he has seen almost fist fights mostly because the street is too narrow.

Roy Kaufmann, 60 Notre Dame Drive, stated that he has lived there for fifty years. They live right on the corner and for him to go on a one-way street is very silly because he can throw a ball right to Haines Mill Road and he does not have a traffic problem. Mr. Macey stated that he understands that because he lives far enough away from the fields. Mr. Macey stated that this is a public safety issue. There have been at least nine documented accidents. This is not just an issue with the big field but when both smaller fields are being used because the parking is inadequate. Mr. Morrow stated that we have had some recommendations of parking on one-side. We invited the residents tonight to see what the residents would want to see out there and what is best for the residents and children using those fields. Mr. Kaufmann also stated that buses drop off children and remain parked on the street. Mr. Catrambone stated that we will bring this issue to the Police Chief. Mr. Paris stated that we are starting a new process of discussing the issues with the residents prior to a decision being made. Mr. Kaufmann stated that for him to go all around the street no matter which way is silly. He does not feel that the neighbors will like him riding the tractor trailer down the street. Mr. Paris stated that our main concern is the safety of the children.

Don Rookstool, 25 Notre Dame Drive, stated that he lives in between all three fields and believes there is an issue mainly during tournament play. He feels the issue is parking not one-way. Children will still be running through parked cars and people will be able to make cars go faster. He believes that a one-way street becomes a negative value to their properties. They are also adding more gas mileage because people will have to drive an extra 5/8 of a mile. For normal gasoline, it could add an additional \$50 per year and more for diesel. He does agree that it is an issue when they are using all fields but the key word is parking.

Ron Taylor, 8 Notre Dame Drive, stated that he has a suggestion. He recommended that we remove the chain link fence to increase parking. He stated that it would add forty spaces at no cost to the township. He feels a one-way street is the wrong way to go. He stated that parking on one side would help but it would not solve the problem. Mr. Morrow asked if we were able to do that, would it help. He stated that it would be an improvement except for tournaments. Mr. Catrambone stated that he feels that is a great idea. It has also been brought to his attention that people park right up to the driveways making it impossible for residents. Mr. Catrambone stated that this information is very helpful.

Brian Smith, 39 Notre Dame Drive, stated that he feels all of the residents feel the same. He has had to lay on his horn in order for people to move their vehicles. He does not feel that a one-way street is the answer. He also stated that there are beer bottles and other things behind the fields that should be cleaned up. Mr. Catrambone stated that he brings up a good point about painting the curb apron yellow to prevent people from parking too close to the driveways. Mr. Macey stated that there is no way if we add additional parking near the smaller field that the people using the larger fields will park there.

Greg Kiehner, 49 Notre Dame Drive, stated that he is opposed to the one-way street. He asked if we could create more parking near the abandoned sewerage plant. Mr. Catrambone stated that there is an abandoned sewer area back there. Mr. Kiehner stated that the problem at the big field will still be an issue and recommended we paint the curb yellow and create no parking in the area on the ball field side of the street. He stated that people are always in a hurry, they park hanging over his driveway. Mr. Kiehner stated that in talking to other people he understands the other fields in town have off street parking. They are the only street that has this problem. Mr. Paris stated that from what he has heard tonight he understands they are against the one-way and want to look in to no parking in front of the fields and look at expanding the parking lot. Mr. Paris also stated that if we eliminate parking in front of fields it will create a problem at the ends of the street that are not experiencing a problem right now. Mr. Kiehner stated that the residents are already inconvenienced and he does not want them to be more inconvenienced.

Charles Lee, 10 Notre Dame Drive, stated that when he moved there in 1973 there were only tennis courts in the ball field location. His question is why there are three fields there when the street is too narrow and what we are going to do with the problem. Mr. Catrambone stated that he was not on Council when the fields were built and that there was probably a need and that was the location chosen for the fields. Mr. Catrambone stated that now since prior Council has created the problem they have to fix it. Mr. Lee stated that any time the township plans recreation they need to look at this.

Ray Krystofolski, 58 Notre Dame Drive, stated that he lives right on the curve of the street. One of his suggestions is to move the curb on the ball field side of the street five feet to widen the street near the ball field. He also stated that we should create additional parking in the current lot. He also mentioned that we spend a tremendous amount of money and sod and watering those fields even during the drought, we pumped water onto that field. Maybe if we have enough money to do that we should look at widening the street in front of the ball fields. He also asked why we can have officers on bikes patrolling the streets during games. Where he lives on the curve, people come flying down from Haines Mill and we need to have police writing tickets. We need to hit people with tickets and maybe they will slow down. Mr. Paris stated that he has been Councilman in Ward 2 and he has never had a complaint about the lack of police. Mr. Krystofolski stated that he called the township when they put a sewer man hole in front of his property which has an odor. Mr. Ogozalek, Sr. stated that he agrees with more police presence.

Sandra Lehmann, 40 Notre Dame Drive, stated that she is more impacted than anybody is because she lives right next to the big field. The one-way street is not going to solve the problem and cars will travel faster because they will not have to worry about on coming traffic. She also stated that a one-way street will only devalue their homes.

Mary Parento, 25 South Bridgeboro Street, stated that while she is not a resident of Notre Dame she has been on those fields many times when there is a lot of activity. One thing she wanted to point out is the Brown Street, Leon Avenue, and Faunce Field do not have off street parking while they do only have one ball field on them unlike Norte Dame. She also stated that Delran AA is not the only organization who uses those fields. She stated that this has been an issue for years and no one has brought up this issue until Council sent out a letter. Mr. Morrow asked if there are any other fields that we are not utilizing and if we can try to solve some of the issues with moving some scheduling around.

Joseph Parento, 25 South Bridgeboro Street, stated he has witnessed four accidents standing in front of the Norte Dame sign and something has to be done. He has been fighting two issues since his time on the AA one being the parking on Norte Dame and the other is smoking on the fields. He also stated that the big field on Notre Dame is a men's league field the field at the Middle School is a big league field.

Mr. Catrambone stated that our Engineer came up with some recommendations. One was a loading zone. One was to bump out a loading area and one recommendation was to add another lane which was very expensive. Mr. Catrambone stated that there is the availability for additional parking near the abandoned sewer pump and the Engineer is looking into it. We could possibly double or triple the parking area. The things that we will discuss as we move forward are parking on one side at least in front of the field; add additional

parking and painting yellow marking in front of driveways. He understands that the residents do not want a one-way street. He stated that everyone is welcome to come out next Wednesday to further discuss this issue.

Mr. Hatcher stated that he will bring the police issues to the attention of the Police Chief.

**TOWNSHIP OF DELRAN
RESOLUTION 2008-109
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 meeting of September 23, 2008 for the following reason:

1. Litigation Myers Tract (Delran Towne Center v. Delran Township)

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

Mr. Moran made a motion, seconded by Mr. Morrow to adopt Resolution 2008-109.

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. Morrow 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. Morrow to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers
Municipal Clerk

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

DRAFT