

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**February 7, 2017
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 January 11, 2017 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone were present.

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

Mayor and Council presented a Proclamation honoring outgoing Fire Department Chief Joseph Cunningham.

APPROVAL OF MINUTES

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to approve the Work Session minutes for December 13, 2016 and the Regular Meeting on January 3, 2017

There being no questions, the roll was called.

Mr. O'Connell, Mrs. Kolodi and Mr. Catrambone voted aye. Mr. Burrell abstained. Mr. Schwartz voted aye on the minutes for December 13, 2016 and abstained on the minutes for January 3, 2017.

Ayes: 4 for December 13, 2016 and 3 for January 3, 2017

Nays: None

Abstain: 1 on December 13, 2016 and 2 for January 3, 2017.

Motion Approved

Mrs. Kolodi made a motion, seconded by Mr. Schwartz to approve the minutes for the January 3, 2017 Reorganization Meeting.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Schwartz abstained.

Ayes: 4

Nays: None

Abstain: 1

Motion Approved

RESOLUTION

**TOWNSHIP OF DELRAN
RESOLUTION 2017-31**

**AUTHORIZING EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
LITIGATION BERK & BERK MANAGEMENT AT HUNTER GLEN v. DELRAN TOWNSHIP**

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-31.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Schwartz abstained.

Ayes: 4

Nays: None

Abstained: 1

Motion Approved

Mr. Catrambone stated that there is a need for the executive session to receive an update from the Attorney regarding this litigation. Mr. Catrambone asked for a motion to enter into executive session.

Mrs. Kolodi made a motion, seconded by Mr. O'Connell to enter into executive session.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Schwartz abstained.

Ayes: 4

Nays: None

Abstained: 1

Motion Approved

Mr. Catrambone asked Mr. Schwartz for the reason he is abstaining from this motion.

Mr. Schwartz stated that he has a conflict and would be happy to discuss this after the meeting.

Mr. Long stated that Mr. Schwartz is abstaining from discussion on this issue on the advice of his Attorney and he is protecting his rights.

Council returned from executive session. Mr. Catrambone stated he is going to ask for a motion to walk a Resolution onto the agenda. The reason for the Resolution is to rescind a Resolution authorizing the \$50.00 one-time sewer credit for all account holders. This was to make good on a promise we made when we abolished the Sewer Authority. The total costs to the Township would have been approximately \$300,000. Since the adoption of the ordinance, one of our account holders filed a lawsuit and while we continued to press on, they amended the lawsuit to include charges that could have resulted in a \$500,000-\$800,000 loss to the Township. The exposure was too great for the Township and we found out tonight that if the Resolution was rescinded, the litigation will be dropped. Mr. Catrambone stated that he is very disappointed that we were not able to deliver the \$50.00 credit. We will continue to work each year to keep the sewer rates stable. The \$300,000 will go back into surplus and we will not expose the Township to a potential greater loss.

Mr. Catrambone asked for a motion to adopt the following Resolution.

**TOWNSHIP OF DELRAN
RESOLUTION 2017-48**

**A RESOLUTION OF THE TOWNSHIP OF DELRAN
RESCINDING RESOLUTION 2016-160 (SEWER CREDIT)**

Mrs. Kolodi made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-48.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Schwartz abstained.

Ayes: 4

Nays: None

Abstained: 1

Motion Approved

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2017-01**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK FOR CALENDAR YEAR 2017
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Council of the Township of Delran, in the County of Burlington finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$417,512.42 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Council of the Township of Delran, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Delran shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$417,512.41, and that the CY 2017 municipal budget for the Township of Delran be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Schwartz made a motion to open the meeting to the public, seconded by Mrs. Kolodi. All were in favor, motion approved.

Jennifer Reppert, 174 Westover Court, asked the ordinance be explained for the residents in attendance.

Mr. Hatcher stated there are several caps on the municipal budget. This ordinance is in regards to the spending cap. Every year there is a spending cap established. This year the cap is one half of 1%. The ordinance allows us to go up to 3.5%. We have never needed to use the cap space but it allows us to bank that cap going into the following year.

Mr. Schwartz made a motion to close the public portion, seconded by Mr. O'Connell. All were in favor, motion approved.

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Ordinance 2017-01 on second reading.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2017-32**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR THE PURCHASE OF A BRINE APPLICATOR**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-32.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-33**

**REFUNDING TAXES PAID IN ERROR
BLOCK 9, LOT 41.02**

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-33.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-34**

**TRANSFERRING PAYMENT FROM TAX ACCOUNT
TO SEWER ACCOUNT FOR BLOCK 60, LOT 5**

Mrs. Kolodi made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-34.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-35**

**REFUNDING FEE FOR CONSTRUCTION PERMIT #20160478
IN THE AMOUNT OF \$1,229.00**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-35.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-36**

**RELEASING ZONING BOARD ESCROW
HYPERION TREE SERVICE**

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-36.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-37**

**AUTHORIZING JEFFREY HATCHER TO SIGN AUTHORIZATION FOR
AERIAL MOSQUITO CONTROL**

Mr. O'Connell made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-37.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-38**

EXTENDING TOWING CONTRACT FOR ONE YEAR

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-38.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-39**

**AUTHORIZING THE CREATION OF
NEW 2017 SEWER ACCOUNTS FOR
VARIOUS RESIDENTIAL PROPERTIES**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-39.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-40**

AUTHORIZING VARIOUS 2017 SEWER ACCOUNT CORRECTIONS

Mrs. Kolodi made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-40.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-41**

**REFUNDING OVERPAYMENT OF COAH FEES FOR
BERK & BERK MANAGEMENT, LLC
3001 ROUTE 130 SOUTH**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2017-41.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye. Mr. Schwartz abstained.

Ayes: 4
Nays: None
Abstain: 1

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-42**

**REFUNDING OVERPAYMENT OF COAH FEES
FOR 1301 PEAR TREE COURT
NVR/RYAN HOMES (THE ORCHARDS)**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-42.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-43**

**REFUNDING FEE FOR CONSTRUCTION PERMIT #20160811
IN THE AMOUNT OF \$1008.00**

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to adopt Resolution 2017-43.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-44**

**TRANSFERRING TAX PAYMENT FROM
BLOCK 9, LOT 41.04 to BLOCK 9, Lot 41.03**

Mr. Schwartz made a motion, seconded by Mr. Burrell to adopt Resolution 2017-44.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-45**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
IN ACCORDANCE N.J.S.A. 40A:4-97:**

BURLINGTON COUNTY BODY CAMERA REIMBURSEMENT GRANT 2016

Mrs. Kolodi made a motion, seconded by Mr. Schwartz to adopt Resolution 2017-45.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes:5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-46**

**AUTHORIZING 2016 SEWER ADJUSTMENT FOR
BLOCK 176.02, LOT 13 (NEW OWNER)**

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Resolution 2017-46.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2017-47**

AUTHORIZING VARIOUS 2016 BUDGET TRANSFERS

Mr. Schwartz made a motion, seconded by Mr. O'Connell to adopt Resolution 2017-47.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

MOTIONS

M. Burrell made a motion appointing the following member to the Zoning Board, seconded by Mrs. Kolodi.

Mike Anderson as a Regular Member for a term to expire December 31, 2017

Tom Lyon as a Regular Member for a term to expire December 31, 2018

Tony McFadden as Alternate #1 for a term to expire December 31, 2018

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Burrell made a motion confirming the Mayor's appointment to the Planning Board, seconded by Mrs. Kolodi.

Timothy Weir as a Class IV Member for a term to expire December 31, 2020

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to accept the report of the Tax Collector, CFO and the Township Clerk.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

Mr. Schwartz made a motion granting the mercantile licenses listed below. The motion was seconded by Mrs. Kolodi.

1. Jackson Hewitt Tax Service, 4000 Route 130, Unit
2. Crowne Auto, LLC., 150-25 Carriage Lane
3. Xpress Auto Sales, LLC., 209A-6 Carriage Lane
4. Kraus USA, Inc., 2703 Cindel Drive
5. B.H. Automotive, LLC., 207-29 Carriage Lane

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi Mr. Schwartz, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 5

Nays: None

Motion Approved

REPORTS

Ms. Eggers – Ms. Eggers stated that the Blood Drive is coming up on Tuesday, February 14th from 1:30-6:30 PM. If anyone is interested in donating they can call the Clerk's Office to schedule an appointment or visit redcrossblood.org.

Mr. Hatcher – Mr. Hatcher stated that due to the recent high winds, the Public Works Department will be making one trip around town to collect branches. They started on January 30th and will go for about another week.

Mr. Hatcher stated that if anyone is looking to get rid of their old trash cans they can place them at the curb empty and turn them upside down and the trash company will take them.

Solicitor – No report.

Jim Bauer, Fire Commissioner – Mr. Bauer reported that this has been a quiet month. Both the Chester Avenue and Bridgeboro Station assisted Palmyra on a house fire.

One thing of interest is that there has been a noticeable increase in fire inspections on properties that were bank owned. He asked the office to provide him with a count and they will keep an eye on the issue.

Mr. Schwartz – Mr. Schwartz thanked Chief Cunningham for his service.

Mr. Schwartz stated that one in regards to the Fire Commissioner's report on the vacant homes. It is good to hear things changing in the right direction.

Mr. Schwartz stated that if anyone needs anything to do on Valentine's Day, we are having a Blood Drive and also a work session.

Mr. Burrell – Mr. Burrell thanked Chief Cunningham for his service.

Mr. Burrell reported that as the Green Team liaison, they have filed their 2016 report and it is available on their website. They also outlined their plans for 2017. A few include enlarging the wildflower garden, additional composting workshops, inventory of trees in town and renewal of their Sustainable Jersey certification. Mrs. Kolodi will discuss the Chicken Pilot Program.

Mrs. Kolodi – Mrs. Kolodi thanked Chief Cunningham for his service to the Township.

Mrs. Kolodi reported that she will be the liaison on Council for the Chicken Pilot Program. They are considering a pilot program in town. We are in the research phase right now. At the last work session in February we will be hearing from the individual that runs the classes. If we do move forward with the pilot program, anyone participating in the program will require education, licensing and inspections. It will be a very well and supervised program.

Mr. O'Connell – Mr. O'Connell stated that he would like to add his thanks to Chief Cunningham.

Mr. O'Connell stated that when he first ran for office, he never thought he would be hearing about a Chicken Pilot Program. He is looking forward to hearing the presentation at the end of February.

Mr. Catrambone – Mr. Catrambone state that he would like to echo the comments and thank Chief Cunningham for his service.

Mr. Catrambone mentioned that in what is our third cycle with the new trash containers he has yet to fill up the one bucket with a family of four.

Mr. Paris – Mr. Paris thanked Chief Cunningham for his service and is looking forward to him serving as the Deputy Chief.

Mr. Paris reported that the budget will be presented to Council on February 14th for their review.

Mr. Paris reported that the concession/bathroom facility has been delivered and the park looks beautiful. Mrs. Kolodi and Bob Kennedy work very hard on the fundraising for that park.

PUBLIC PORTION

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to open the meeting to the public for any questions. All were in favor, the motion was approved.

Mal Anderson, Edgewater Park, stated that most of you know that he was a past Fire Chief and past Commissioner. He thanked Council for their support over the years. Mr. Anderson stated that he is a big proponent of volunteers and Council should go out of their way to continue the volunteer aspect of firefighting. Delran has one of the best departments in Burlington County

and we aim to keep it that way. Mr. Anderson congratulated Chief Cunningham and thanked Council again for their support.

Mr. O'Connell made a motion to close the meeting to the public, seconded by Mr. Burrell. All were in favor, the motion was approved.

Mr. Schwartz made a motion, seconded by Mr. O'Connell to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers
Municipal Clerk