

**WORK SESSION
MUNICIPAL BUILDING**

**February 14, 2017
DELRAN, NJ**

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, 2016 and posted on the bulletin board on the same date.

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

ACTION MEETING

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
BURLINGTON COUNTY, NEW JERSEY
ORDINANCE 2017-02**

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF CERTAIN ROADS IN
AND BY THE TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, STATE OF
NEW JERSEY; APPROPRIATING \$1,840,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$1,752,000 BONDS OR NOTES TO FINANCE PART OF THE COST
THEREOF**

PUBLIC HEARING

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:
Nays:
Approved:

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2017-49**

**RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE RELEASE OF THE
PERFORMANCE GUARANTEE FOR SEWER IMPROVEMENTS AT PROPERTY KNOWN AS
1003 OAK AVENUE**

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2017-50**

**REFUNDING DUPLICATE MERCANTILE LICENSE
PAYMENT FOR BILLOWS ELECTRIC**

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2017-51**

**APPROVING RAFFLE APPLICATION 515
FOR HOLY CROSS HIGH SCHOOL PTA**

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2017-52**

**APPROVING RAFFLE APPLICATION 516
FOR ST. CHARLES BORROMEO PARISH SCHOOL**

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:
Nays:
Approved:

**TOWNSHIP OF DELRAN
RESOLUTION 2017-53**

**AUTHORIZING ENGINEERING FOR 2016-2017 ROAD PROGRAM
IN AN AMOUNT NOT TO EXCEED \$220,000**

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:

Nays:

Approved:

MOTION

A motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement

MOVED BY _____ SECONDED BY _____

Roll Call: Mr. Burrell, Mrs. Kolodi, Mr. Schwartz, Mr. O'Connell,
Mr. Catrambone

Ayes:

Nays:

Approved:

WORK SESSION

1. Municipal Group Request for Additional Contribution
2. PPG Clean up at Water's Edge
3. Hardship Waiver Request – 102 Wildflower Place & 315 Nicholas Drive
4. Ordinance Amending Code for Trash Collection and Fee for additional container
5. Safe Zone for Internet Sale Exchanges
6. Distracted Driver Crackdown Grant
7. 2017 Budget (Books will be provided at the meeting)

**TOWNSHIP OF DELRAN
BURLINGTON COUNTY, NEW JERSEY**

ORDINANCE 2017-02

**BOND ORDINANCE PROVIDING FOR THE
RECONSTRUCTION OF CERTAIN ROADS IN AND BY THE
TOWNSHIP OF DELRAN, IN THE COUNTY OF
BURLINGTON, STATE OF NEW JERSEY;
APPROPRIATING \$1,840,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,752,000 BONDS OR
NOTES TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF DELRAN, IN THE COUNTY OF BURLINGTON, STATE OF NEW
JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) AS
FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Delran, in the County of Burlington, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$1,840,000, said sum being inclusive of a down payment in the amount of \$88,000 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. § 40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Capital Improvement Fund of the Township for down payment or capital improvement purposes in a previously adopted budget or budgets, temporary or permanent, as applicable, of the Township.

SECTION 2. For the financing of said improvements described in Section 3 hereof and to meet the part of said \$1,840,000 appropriation not provided for by application

hereunder of said \$88,000 down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$1,752,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$1,752,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for the reconstruction of portions of Fox Chase Drive and Main Street, and Whitemarsh Way, Oxford Road, Drexel Avenue and Greenbriar Road, including but not limited to, as and if required, removal and replacement of, as applicable, sidewalks, concrete curbing, curb ramps, driveway aprons, regrading, landscaping, excavation, pavement striping, installation of traffic calming devices, resetting manholes and inlets, drainage improvements, and various other curb, sidewalk and roadway maintenance.

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,752,000.

(d) The estimated cost of said improvements or purposes is \$1,840,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued

therefor is the down payment in the amount of \$88,000 available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Burlington make a contribution or grant in aid to the Township for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Burlington. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Burlington shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale

and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget, permanent or temporary, as applicable, of the Township is hereby amended, as necessary, to conform with the provisions of this bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Municipal Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Municipal Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,752,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$240,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a

declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Township for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Township other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,752,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury

Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: January 24, 2017**

**JAMEY EGGERS, Municipal Clerk
Township of Delran**

**GARY CATRAMBONE, Council President
Township of Delran**

**ADOPTED ON SECOND READING
DATED: February 14, 2017**

**JAMEY EGGERS, Municipal Clerk
Township of Delran**

**GARY CATRAMBONE, Council President
Township of Delran**

APPROVAL BY THE MAYOR ON THIS ___ DAY OF _____, 2017

**KEN PARIS,
Mayor, Township of Delran**

**TOWNSHIP OF DELRAN
RESOLUTION 2017-49**

**RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE RELEASE OF
THE PERFORMANCE GUARANTEE FOR SEWER IMPROVEMENTS AT PROPERTY
KNOWN AS 1003 OAK AVENUE**

Whereas, a cash performance bond (the “Performance Guarantee”) in the amount of \$8,982.00 remains posted by Thomas & Karen Davis (the “Applicant”) as a performance guarantee, to guarantee the completion of sewer improvements at 1003 Oak Avenue (the “Property”); and

Whereas, in a letter dated January 23, 2017, Township Engineer, CME Associates stated that the Applicant has requested a release of the Performance Bond and verified that all sewer improvements are satisfactorily in place at the Property: and

Whereas, in the same letter the Township Engineer recommended that the Township require a Maintenance Guarantee to be held in the amount of \$4,491.00; and

Whereas, pursuant to N.J.S.A. 40:55D-53 the Township Council can either “approve, partially approve, or reject the improvements on the basis of a report by the Municipal Engineer,” and

Now, therefore, be it resolved by the Mayor and Council of Delran Township that the Performance Guarantee in the amount of \$4491.00 for sewer improvements at the Property, as posted by the Applicant, be released and that \$4,491.00 continue to be held as the Maintenance Guarantee for a period of two years.

Be it further resolved the Township Clerk is hereby directed to forward a signed copy of this Resolution to the Applicant.

Township of Delran

**Gary Catrambone
Council President**

Attest:

JAMEY EGGERS, TOWNSHIP CLERK

CERTIFICATION

The foregoing Resolution was duly adopted at a Meeting of Township Council of the Township of Delran held on the 14th day of February, 2017 at the Municipal Building, 900 Chester Avenue, Delran, New Jersey.

JAMEY EGGERS, TOWNSHIP CLERK

**TOWNSHIP OF DELRAN
RESOLUTION 2017-50**

**REFUNDING DUPLICATE MERCANTILE LICENSE
PAYMENT FOR BILLOWS ELECTRIC**

WHEREAS, the Township has received a payment from Billow Electric Supply Co., Inc. for their 2017 Mercantile License on January 3, 2017 in the amount of \$1,050.00; and

WHEREAS, Billows Electric Supply Co., Inc. was issued Mercantile License # 233 for that payment; and

WHEREAS, the Clerk's Office has verified that Billows Electric Supply Co., Inc. was previously issued Mercantile License # 216 and therefore this was a duplicate payment; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Delran that Billows Electric Supply Co., Inc. be refunded the duplicate payment in the amount of \$1,050.00 and that Mercantile License # 233 be voided.

BE IT FURTHER RESOLVED that a signed copy of this resolution be filed with the Chief Financial Officer and Township Treasurer.

DATED: February 14, 2017

TOWNSHIP CLERK

COUNCIL PRESIDENT

**TOWNSHIP OF DELRAN
RESOLUTION 2017-51**

BE IT RESOLVED that the application for raffle license pursuant to the Legalized Games of Chance Act of the State of New Jersey set forth below is hereby approved.

Raffle License 515
Holy Cross High School PTA

DATED: February 14, 2017

TOWNSHIP CLERK

**Gary Catrambone
President of Council**

**TOWNSHIP OF DELRAN
RESOLUTION 2017-52**

BE IT RESOLVED that the application for raffle license pursuant to the Legalized Games of Chance Act of the State of New Jersey set forth below is hereby approved.

Raffle License 516
St. Charles Borromeo School PTA

DATED: February 14, 2017

TOWNSHIP CLERK

**Gary Catrambone
President of Council**

**TOWNSHIP OF DELRAN
RESOLUTION 2017-53**

**AUTHORIZING ENGINEERING FOR 2016-2017 ROAD PROGRAM
IN AN AMOUNT NOT TO EXCEED \$220,000**

WHEREAS, the Township of Delran has authorized Ordinance 2017-02 to provide funding for the 2016-2017 Road Program; and

WHEREAS, the Township Council desires to have CME Associates, the Township Engineer, complete the design, Permit and Bid Phase along with Survey and Construction Phase Services in an amount not to exceed \$220,000

NOW THEREFORE, BE IT RESOLVED that the Township Council authorizes the Township Engineer to provide the above mentioned services and move forward with this project contingent upon the twenty day period of limitation expiring for Ordinance 2017-02.

Date: February 14, 2017

Jamey Eggers, Municipal Clerk

Gary Catrambone, Council President