

**ACTION MEETING
MUNICIPAL BUILDING**

**March 2, 2011
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 23, 2010 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Kolodi, Mr. Schwartz., Mr. Catrambone and Mr. Morrow were present. Mr. Moran was absent.

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

**TOWNSHIP OF DELRAN
RESOLUTION 2011-34**

Whereas, Jai Santoshi Realty, LLC (the "Applicant") has received Township approval for the construction of a Golden Corral restaurant; and

Whereas, as a condition of Township approval, the Applicant is required to connect to the Township sewer system, as maintained by the Delran Sewer Department; and

Whereas, connection to the Township sewer system requires payment of certain connection fees to the Delran Sewer Department; and

Whereas, the Applicant has requested permission to make this connection fee payment in installments rather than as a lump sum payment; and

Whereas, Mayor and Council are amenable to accepting the connection fee in installments as long as there are assurances that no Certificate of Occupancy is to be issued until the sewer connection fee has been paid in full; and

Now, therefore, be it resolved by the Mayor and Council of Delran Township that:

1) Applicant is permitted to pay the sewer connection fee in installments, with said installments to be agreed upon by Applicant and Township Engineer; and

2) Applicant shall not be issued a Certificate of Occupancy until the sewer connection fee is paid in full.

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

Mr. Catrambone made a motion, seconded by Mrs. Kolodi to adopt the Resolution 2011-34.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2011-35**

SEWER CONNECTION FOR GOLDEN CORRAL

BE IT RESOLVED by the Township Council of the Township of Delran that the applicant, Golden Corral located at 2904 Route 130 North, commonly known as Block 132, Lot 2 is hereby given final approval to connect to the public sewer.

WHEREAS, the aforementioned approval is subject to the following conditions:

1. That the applicant meets the conditions of the agreement with the Township regarding the connection fee of \$283,689, which is to be paid prior to the certificate of occupancy being issue as described in Resolution 2011-34
2. All other conditions set forth in the Engineer's letter dated February 21, 2011

BE IT FURTHER RESOLVED that this resolution is contingent upon the applicant meeting the requirements above.

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to adopt the Resolution 2011-35.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

ORDINANCES ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2011-1**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK (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 to 2.0% 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 Delran Township Council of the Township of Delran in the County of Burlington finds it advisable and necessary to increase its CY 2011 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 Delran Township Council hereby determines that a rate of 3.5 % increase in the budget for said year, amounting to \$ 401,836.00 in excess

of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Delran Township 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 Township 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 2011 budget year, the final appropriations of Delran Township shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.5% amounting to \$ 11,882,865.22 and that the CY 2011 municipal budget for the Township of Delran be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, 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. Catrambone made a motion to open the meeting to the public, seconded by Mrs. Kolodi. All were in favor, the motion was approved.

Pat Pomeranz, 21 Alden Avenue, asked if this ordinance allows Council to go from 2% to 3.5% cap bank if needed.

Mr. Hatcher stated that that is correct however, at this time Council does not need the cap bank but we wanted to keep out options open.

Mr. Catrambone made a motion, seconded by Mrs. Kolodi to adopt the ordinance on second reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2011-2**

AN ORDINANCE AMENDING PART I, CHAPTER 12 OF THE CODE OF THE TOWNSHIP OF DELRAN, ENTITLED "TRAFFIC," TO ALLOW FOR THE INSTALLATION AND ENFORCEMENT OF STOP SIGNS AT THE INTERSECTION OF WILLS STREET AND KAUDERER AVENUE

WHEREAS, Delran Township's Township Engineer has conducted a warrant

analysis and recommend the use of stop signs at the intersection of Wills Street and Kauderer Avenue, with the stop signs specifically being placed on Wills Street from both approaches; and

WHEREAS, the Mayor and Township Council of Delran find it to be in the best interest of Delran Township to authorize the enforcement of the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey at stop signs to be located at the intersection of Wills Street and Kauderer Avenue within the Township; and

WHEREAS, the Mayor and Township Council of Delran find it to be in the best interest of Delran Township to authorize the installation of stop signs at both approaches of the intersection on Willis Street, in accordance with the warrant analysis from the Township Engineer; and

BE IT ORDAINED by the Mayor and Township Council of the Township of Delran, in the County of Burlington, State of New Jersey that Chapter 12 of the Code of Delran Township shall be amended as follows:

Section 1: Schedule X, entitled "Stop Intersections" and which is attached to §12-5 of the Code of Delran Township is hereby amended to now include the following intersection:

Stop Intersections

Stop Signs on

Wills Street and Kauderer Avenue [Added March 2, 2011 by Ord. No. 2011-2]

Wills Street

Section 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 3. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Township of Delran declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. The ordinance shall take effect immediately upon passage and publication according to law.

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

There were no comments.

Mr. Catrambone made a motion, seconded by Mrs. Kolodi to adopt the ordinance on second reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2011-5**

**ORDINANCE OF THE TOWNSHIP OF DELRAN AUTHORIZING THE
ACCEPTANCE OF A DEED OF ROAD DEDICATION FROM BERK AND BERK
AT SWEDES RUN, LLC FOR THOSE ROADWAYS KNOWN AS DELRAN
PARKWAY, SURREY LANE, AND CARRIAGE LANE**

Mr. Catrambone made a motion, seconded by Mr. Schwartz to approve the ordinance on first reading.

There being no question, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

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

1. Topkapi Bread & Pastry, 4000 Route 130 North, Store 26
2. Amcor Rigid Plastics, 2703 Cindel Drive
3. Apex Express, 2702 Cindel Drive
4. At Home Medical, 1829 Underwood Blvd., Unit 5

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz., Mr. Catrambone and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

At this time, Council proceeded with the regularly scheduled work session.

Submitted,

Jamey Eggers
Municipal Clerk