

**WORK SESSION
MUNICIPAL BUILDING**

**March 24, 2015
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 December 23, 2014 and posted on the bulletin board on the same date.

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

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

PRESENTATION FOR SHOP BURLINGTON COUNTY

Mr. Catrambone stated that the individual presenting tonight had a family emergency so we will be postponing the presentation.

HAZARD MITIGATION GRANT PROGRAM

Mr. Winckowski stated that last summer a notice was sent out to all the residents in the flood asking if they wanted to be involved in a flood mitigation program which was to include buyouts or mitigation. Mr. Winckowski handed out a map showing all the properties in red that responded. We were allotted \$300,000 from the County. There is a non-federal cost share of 10%. We evaluated all the information we received from the residents and came up with a short list. Those properties are 32 River Drive, 79 Stewart Avenue, 73 Alden Avenue and 84 Alden Avenue. This is completely a voluntary program and involves a lot of participation from the residents. Mr. Winckowski explained the pros and cons on each property. The next properties on the list would be 66 and 68 Alden Avenue.

Mr. Catrambone asked if there is a selection criteria.

Mr. Winckowski stated that he used information from the residents such as damage and flood insurance claims to make his recommendation. With the funding we may be able to purchase two properties.

Mr. Catrambone asked what the Township's obligation is once we make the purchase.

Mr. Winckowski stated that we would demolish the home, top soil and seed the property and leave it as open space.

Mr. Winckowski stated that the next step is to submit the application to FEMA. They have to review and accept the properties. This is very preliminary but he would like Council's approval to move forward.

After additional discussion, Council agreed to allow Mr. Winckowski to move forward.

Mr. Winckowski stated that he will keep Mayor and Council updated on the progress.

REQUEST FROM BURLINGTON COAT FACTORY – REFUND MERCANTILE FEE

Mr. Catrambone asked if this is something we have done in the past.

Mr. Hatcher stated that we have not.

Mr. Catrambone asked when they paid their fees and when they closed for business.

Ms. Eggers stated that they paid their 2015 license prior to December 31st. They indicated that they moved out in January. They are requesting a partial refund.

Mr. Catrambone asked what happens if a business does not pay for the renewal or the late fee.

Ms. Eggers stated that Mr. McCurley would send them notification and if they didn't pay, they would end up in court.

Mr. Schwartz asked if we pro-rate fees.

Ms. Eggers stated that we pro-rate after July 1, 2015.

Mr. Hatcher stated that whatever cost we incur, would happen during the application process.

Mr. Schwartz recommended that we look at our process for pro-rating fees.

After discussion, Council agreed that they do not wish to refund any portion of the mercantile fee.

Ms. Eggers stated that she will send a letter from the office.

CHESTER AVENUE & ROUTE 130

Mr. Hatcher stated that as Council may recall we had a resident write a letter bringing to our attention some issues on Chester Avenue & Route 130. He was directed to send a letter to the DOT and their response was that they will look into this issue if we sign an agreement that the Township will share 25% of the cost of any improvements. Mr. Hatcher stated that he feels that is not fair because it is a state highway and a county road. If we wish to have no trucks on Chester Avenue, they have outlined the process but we would have businesses that would be negatively impacted by that and he is not sure Council would move on that request.

Mr. Winckowski stated that he does not see the benefit of a green arrow allowing traffic to turn right onto Chester Avenue simultaneously with the green light at Chester and Route 130. There is not a backup of vehicles trying to turn right.

Mr. Hatcher stated that one of the biggest concerns was pedestrian safety and that will definitely create more of an issue.

Ms. Pangia stated that Fire, Police and EMS have to use the lane for emergencies so we can't have a green arrow when they think it is red.

Mr. Schwartz stated that our position was to notify the DOT of the conditions. Would it help reinforce that position?

Mr. O'Connell asked if we should be notifying the County.

Mr. Winckowski stated that the County was notified and they pushed it back on the Township.

Mr. Catrambone asked if this is a state or county intersection.

Mr. Winckowski stated that the State has jurisdiction.

After discussion, Council agreed to reinforce the position to both the County and the State.

SEWER RATES FOR SENIORS

Mr. Catrambone stated that a \$50 reduction for seniors was given by the Sewerage Authority and has been a continued practice. However, that reduction is not part of the sewer rate ordinance.

Mr. Hatcher stated that if Council wishes to continue this process, we need to adopt an ordinance.

Mrs. Kolodi asked what the qualifications are.

Mr. Hatcher stated that if they qualify for the senior deduction for taxes, they would get this automatically.

Council agreed and will introduce an ordinance at the public meeting.

NJSEM

Mr. Hatcher stated that a few years ago Council agreed to participate with NJSEM for joint purchase of energy. Based on the annual report, we have received a 20% reduction. There are 131 municipalities involved in the program.

BURLINGTON COUNTY JOINT INSURANCE FUND QUARTERLY CLAIMS REPORT

Mr. Hatcher stated that on a quarterly basis he likes to update Council on our claims. For the last four years we have not had an increase in our premiums and we should not have an increase next year. What partially drives the premium is our experience. Our experience was not good in workers compensation for years 2009, 2010 and 2011. It rebounded a little in 2012 and 2013. We should get numbers for 2014 in the next month. The other two areas MEL and EPL/POL, we have had no claims. The area we have to continue to improve is workers compensation.

CHESTER AVENUE/5th STREET SEWER BACKUPS

Mr. Catrambone stated that he would like to see what we have done and what Riverside has done to try and solve these issues. In the documentation there was a request to the resident at 704 Fifth Street to install a back flow preventer on two occasions and they did

not install the device. The resident sent in a bill for \$900 including the replacement of the laundry tub, a number of fixtures and other items. The plumber's opinion is this may have been due to corrosion from sewer backing up out of the laundry tub. She did not make the improvement recommended by both the Superintendent of the Sewer Authority and an employee but has made repairs since the last backup and is asking for reimbursement.

Mr. Schwartz stated that the residents have been having sewer backups that were attributed to the main. They are well aware that the backflow preventer was the recommendation but a licensed plumber said that it would create more problems. At the time the Sewer Authority took the position that the main would be maintained on a quarterly basis and in this case he can't say he has ever observed that. All the information that the resident received was that it was created by a block in the main. Mr. Schwartz stated that he does not know whether other residents along that line were asked to install a device to prevent a backup. The resident did file a complaint with the NJDEP and they recommended a meeting with Delran Sewer Department and Riverside but the report was not available. Mr. Schwartz stated that it was his recollection from the agreement with Riverside that they maintain the pipes but we own them. What the resident installed was a manual ball valve. She is asking for reimbursement of the cost of the improvements she is not asking for reimbursement of any costs from the cleanup.

Mr. Hatcher stated that the NJDEP met with Delran and Riverside Thursday of last week and they indicated that the work they have been doing in terms of inspection and maintenance was sufficient. If you perform an inspection and you don't see an issue you don't perform maintenance and that seems to be what was happening. We have the dates that the Sewer Department inspected the lines and between both towns the line was inspected ten times. We asked them to tv the line and there are two low spots on Chester Avenue and there is not a lot of pitch so any time there is an issue those residents will be affected. They did not see any roots in the line so it may have been a grease issue this time around. The DEP recommended as part of a long term plan that Riverside look at replacing that line.

Mr. Schwartz stated that he would like to see the final report. If there is a situation that could create an issue where a resident would have to go to extraordinary measures with their sewer lateral that is approved and maintained, it is a result of the system.

Mr. Paris stated that he has concerns that this would be opening us up to other residents that want to be reimbursed for repairs on their laterals. Recently, we received an e-mail from a resident in Swedes Run with a main issue.

Ms. Pangia stated that she is one of the individuals that had to replace their sewer laterals but the difference is it was an issue on her property that damaged the sewer lateral. This resident is being affected because of an issue with the main.

Mr. Paris asked why other residents are not being affected.

Mr. Hatcher stated that we have three residents in that area that have complained. We are handling the one complaint through our insurance because it is for damage. This

request is a little different because the resident at 704 Fifth Street is asking us to pay for a backflow device.

Mr. Catrambone stated that if the resident did everything we asked and we messed up he would be for reimbursing the resident. However, they did not take the recommendation of the Sewer Authority.

Mr. Schwartz stated that under normal circumstances he would agree but in this instance because our system is not working properly, we are asking the resident to install this device.

Mr. Catrambone stated that he hears what Mr. Schwartz is saying. Clearly there is an issue but what would have stopped that problem would have been to install the backflow device which they did not do. We notified the resident of this ten years ago.

Ms. Pangia stated that the problem ten years ago was because we had a problem. The Sewer Authority should have installed that device then.

Mr. Hatcher stated that towns do not install backflow devices. This house is over fifty years old and they were not built with them back then. Towns do not do work on private property. In 2006, almost every home on his street was flooded out because the storm sewer backed up. About a dozen residents came to the Township and indicated that the storm sewer system did not work properly because the area that it goes has been impacted and does not clear. They all requested that Council do something for them and Council did nothing because it is not something the Township should be involved in. Unless you are going to start doing something for everybody but the Township does not have that kind of money. If you are going to reimburse for this repair, why wouldn't you reimburse residents that are down by the river that got flooded.

Mr. Schwartz stated that this is an isolated situation and she needs extra help because of the issues with the main.

Mrs. Kolodi stated that the resident is responsible to protect their home. She does not want us to open up a can of worms if we reimburse the resident.

Mr. Schwartz stated that in this situation he feels we are sharking responsibility. It is our equipment that failed.

Ms. Pangia stated that the examples Mr. Hatcher brought up are different. Those issues are naturally occurring issues. The sewer backup was a problem on our end.

Mr. Catrambone stated the responsibility of the resident is from the main.

Mr. Schwartz stated that he understands but still feels that this is our problem.

Mr. Hatcher stated that the resident also had a backup from their own lateral and still did not install a check valve.

Mr. Winckowski stated that installing a backflow preventer at that property has the potential to push the issue further down the line.

Mr. Hatcher stated that his only concern is that this is not the first time he has seen this and Council needs to be cautious because there are a whole lot of these in town. If residents have damage, they can fill out the insurance form and we will submit them to the JIF. The insurance company will review the claim and make a decision. We do not get involved with paying for improvements.

Mr. Schwartz stated that a few years ago there was a jetter incident and we reimbursed the resident. He asked why this is different.

Mr. Hatcher stated that when there is a backup we submit a claim to our insurance. This request is not to reimburse for damages, it is for repairs.

Mr. Catrambone stated that he feels we should submit this through insurance and let them review the claim.

Mr. Hatcher stated that we would need to send the resident a claim form to complete. Mr. Hatcher stated that he is not sure that this would be approved because it is not for damages.

Mr. Pangia stated that she feels we allow her to fill out the claim and have Mr. Hatcher submit it to the insurance company. Ms. Pangia stated that there is also a bigger problem here which is that Riverside is not maintaining their lines the way they are supposed to and we need to address that issue.

Mr. Hatcher stated that he has not received the report but he has been told that Riverside made all the required inspections and maintenance.

Mr. Catrambone stated that his recommendation is that Mrs. Olivio to submit a claim and let the issue be worked out by our insurance company. Mrs. Kolodi and Mr. O'Connell agreed. Ms. Pangia and Mr. Schwartz believe that the Township should pay for the improvements. Mr. Hatcher believes that even if the Township was in favor of reimbursing the resident, we should first submit the claim to our insurance company.

ROADSIDE FUNDRAISING

Mr. O'Donnell stated that Council asked him to look into issue as a safety concern. He was asked to look if Delran had laws on the books and if there were state regulations. After looking into the issue he recommended that Council amend the ordinance to include regulations for the different fundraising events such as car washes and flower sales. There are exemptions under the soliciting ordinance for individuals soliciting for charitable organizations but they are still required to get Council's permission. We may also want to add a provision for a penalty and also a provision allowing the Police to shut down the event if they find it to be unsafe.

Mr. Catrambone asked if the organizations are currently registering with the Township and if not should they be.

Ms. Eggers stated that currently they do not register.

Mr. O'Donnell stated that they should be receiving approval from Council but we may want to make the ordinance clearer.

Mr. Catrambone stated that maybe the sound approach would be to make an announcement that these events have to be done safely and he give the police direction to give them one warning and then shut the event down if necessary.

Ms. Pangia stated that the problems she has is that children are crossing into the street to collect money.

Mr. Paris stated that to get the word out that permits are required we need to send information out to the schools. When groups are issued the permit there needs to be a list of do's and don't's for the event and if they are not followed the event will be shut down.

Mr. Schwartz suggested that if an organization is going to hold a fundraiser, they should register with the police including the name and contact information for an individual responsible for the event. If the police at any time feel that the event is unsafe, they shut it down.

Mr. Catrambone stated that his suggestion is that we give the police direction for one warning and if it happens again, the event is shut down. Council agreed and would also like the organization to register with the police department and not have to receive approval from Council. Mr. Catrambone stated that we will address this with an amendment to the ordinance and we need to do community awareness through the website and social media.

Mr. Paris stated that there is also an issue on the weekends with signs and if they are putting up signs without a permit, he would like to know if we can issue a fine.

Mr. O'Donnell stated that he will look into the ordinance.

Mr. O'Donnell asked if Council wants him to draft the ordinance to require registration with the Police Department and to remove Council approval. Council agreed.

JAKE'S PLACE MEETING – APRIL 20, 2015

Mr. Catrambone stated that what we would like to do is merge the event into a community park event. Maybe we use this as a precursor to open day of the park and begin talking about fundraising for the park and Jake's Place and how they will coexist. We will have representatives from Jake's Place make a presentation and Council will make a presentation on the park.

Ms. Pangia stated that she and Mrs. Kolodi will sit down with Jake's Place next week to go over the presentation.

Mr. Paris stated that he would also like to be involved. Mr. Paris would like the presentation of the park to include the current status and future progression.

Ms. Pangia recommended that they meet before the work session on April 14th at 6:00 pm to go over the agenda for the April 20th meeting. Mr. Paris and Mrs. Kolodi agreed.

Council agreed to advertise a special meeting to present the plan for the park on April 20th at 7:00 pm.

BUDGET POWER POINT

Mr. Catrambone stated that Mr. Hatcher prepared a power point presentation so that we are all prepared for the public hearing on the budget scheduled for April 7th. Council had no concerns with the power point.

REPORTS

Chief Parente – Chief Parente reported that they had their accreditation for the Department and it went very well. Once it is complete, they will make a presentation at a public meeting.

Mr. Catrambone – Mr. Catrambone stated that the LED lights used by police cars are extremely bright. He asked if the brightness is a state standard.

Chief Parente stated that they will dim over time.

Ms. Eggers – Ms. Eggers reported that she sent out the e-mail with the instructions to file the Financial Disclosure forms. They are required to be filed between March 30th and April 30th.

Mr. Hatcher – No report.

Mr. Winckowski – Mr. Winckowski reported on the following:

- Mathis Construction will be on site to finish up the remaining items at Delran Community Park. The contractor will be starting the lighting in order to get it completed for opening day.
- They are working with Bogey Construction to complete the repairs to Brown Street to correct the ponding issues.
- Permits have been submitted for the improvements to Swedes Lake.
- The bid opening for the Road Program and Tenby Chase Drive is scheduled for April 2, 2015.
- They are still working on the design for the Route 130 Sidewalk Project and should be ready to submit to the DOT shortly.
- The permit for the Water Quality Improvements to Westover Drive has at the DOT for approval. We may not be able to make the improvements along the Swim Club that we originally intended to make because the area is very flat but he will talk to Mr. Hatcher about what we can do with the grant money to help.
- Our grant applications to the NJDOT have been submitted and we should hear back in the spring.

- The contractor will be completed with the remaining portion of the Fairview Street sidewalk project by the end of the week. The County asked if we would be willing to replace the sidewalk in front of the VFW. If Council agreed, the cost would be \$8,000. We would have to let the contractor know tomorrow if we wanted them to continue. Mr. Hatcher stated that there is money in the ordinance for that cost. Council agreed to adopt a change order Resolution to approve the additional sidewalks.

**RESOLUTION 2015-40
CHANGE ORDER FINAL**

FAIRVIEW STREET SIDEWALK PROJECT

WHEREAS, it was necessary to make changes in the contract for the Fairview Street Sidewalk Project and

WHEREAS, the Change Order was developed to itemize and authorize those changes.

WHEREAS, certification has been received by the Treasurer/Finance Director that sufficient funds have been allocated for this Change Order;

NOW, THEREFORE, BE IT RESOLVED by the Township of Delran that the Change Order hereby authorized and approval is hereby granted to revise the amount from \$226,288.85 to \$234,288.85 (Increase of \$8,000.00)

Mr. Schwartz made a motion to adopt Resolution 2015-40, seconded by Mrs. Kolodi.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

Mr. Schwartz stated that we were supposed to make a decision on using the NJEIT funding.

Mr. Winckowski stated that we determined that we would not use NJEIT funding for the Fifth Street Pump Station but it still needs to be determined whether to use the funding for the Sand Filters. Mr. Winckowski stated that they did file the necessary paperwork with NJEIT to continue eligibility. He needs to work with the Auditor and the Bond Counsel to determine the financial impacts.

Mr. Hatcher stated that he had a discussion with the Auditor while preparing the budget and one of the scenarios that we discussed is that we believe that we have significant

cash flow in the sewer budget to be able to finance this with one year notes over the next ten years and save a significant amount of money. We will put information together to present to Council. We filed the necessary paperwork to keep NJEIT funding as an option for the Sand Filters.

Mr. Winckowski stated that we received a certified market value notice from NJDEP for the TAR property. The next step is to prepare a Green Acres survey and a Phase I environmental report. He submitted a cost proposal a few weeks ago for those costs. He believes it was in the area of \$10,000-\$12,000 which is reimbursable through the grant. He would like authorization to move forward. Council agreed.

Mr. O'Donnell – No report.

Mr. O'Connell – Mr. O'Connell thanked Chief Parente for handling his first constituent issue of a dog barking on Creek Road.

Ms. Pangia – Ms. Pangia reported that next Monday, March 30th is the women's event that she and Mrs. Kolodi will be hosting.

Ms. Pangia asked if she needs to have approval for the flower sale being held at the Chester Avenue Fire Station No. 232 over Easter weekend.

Mr. Hatcher stated that Station 231 has also asked for approval.

Mr. Schwartz made a motion to approve the Flower Sale for both Station 231 & 232, seconded by Mrs. Kolodi. Mr. O'Connell, Mr. Schwartz, Mrs. Kolodi and Mr. Catrambone voted aye by voice vote. Ms. Pangia abstained. Motion approved.

Mr. Schwartz – No report.

Mrs. Kolodi – Mrs. Kolodi stated that they talked with the Delran Business Association regarding cameras for Delran Community Park. We thought about going to Bevan, which is a local company to see what they have to offer. She will look into this issue. She also has a meeting set up with the Delran AA and the DBA to discuss the needs for the park.

Mrs. Kolodi asked if there are signs up throughout town for teams that have won sport titles.

Mr. Hatcher stated that they were for state championships and the organizations paid for them.

Mrs. Kolodi stated that the goose that she captured and they moved to the Popcorn Zoo has been named Delran.

Mr. Catrambone – No report.

Mr. Paris – No report.

PUBLIC PORTION

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

Bob Kennedy, President of the Delran AA, reported that he brought over the plans for the shed they would like to purchase for Delran Community Park. He talked to a few merchants in town and they may have an interest in helping pay for them. Instead of two or three sheds they decided to have just one big shed. They just need to figure out how to get power to the sheds.

Mr. Winckowski stated that they will need a plot plan which he believes they can put together. There are also drainage issues so grading may be needed.

Mr. Kennedy stated that they were contacted by the Soccer Club and they indicated that it was recommended by Council that they merge. Council stated that was not the case.

Mr. Kennedy stated that they have been contacted by residents with complaints that the lights are still up at Don Deutsch Fields. Mr. Kennedy stated that the Township picks up the trash from the soccer fields, they do not have to pay to have it removed. Mr. Kennedy stated that Delran Community Park is a great concept but it is just taking too long. By the time the Township opens the park, their season is over.

Mayor and Council discussed with Bob Kennedy the special needs program and the allocating of the funds from the Township.

Ms. Pangia recommended that the Delran AA submit an invoice to the Township for the program outlining the expenses at the beginning of the year.

Mr. Hatcher stated that he would much rather work the funding in that way. Mayor and Council agreed. Mr. Kennedy also agreed. The Township will continue to handle the insurance in the same fashion. The Delran AA will provide the invoice for the insurance to the Township.

Mr. Kennedy stated that the Delran AA meeting is tomorrow and he knows that the issue with the new fields will come up. He asked if June 1st is still the date for opening.

Mr. Paris stated that with all the snow, the grass is just not stabilizing. They don't want to risk damage to the fields by allowing one tournament to take place.

Mr. Winckowski stated that by the time we had the soil tested the contractor was unresponsive and Public Works did the work at the end of October. Even if the seeding was completed in early September, we still would have needed this time.

Mr. Catrambone stated that it is unfortunate that it is late but there is nothing we can do.

Mr. Winckowski stated that we are trying to get the contract completed and then the can talk about damages. They should be completed later this week.

Mr. Schwartz asked if it would make a difference if we opened the fields a week early for the tournament on Memorial Day weekend.

Mr. Winckowski stated that he does not know. He feels that by the time we can make a decision, it will be too late for the AA if the answer is no.

Mr. Kennedy stated that if the fields can't be opened for the spring season they should keep it closed for the season and open it up next year.

Mr. Paris stated that we could do that but we are trying to do everything we can to be accommodating.

Mr. Schwartz recommended that we talk to Mr. DeSanto to get his opinion.

Mr. Schwartz made a motion to end the public portion of the meeting. The motion was seconded by Mr. O'Connell. All were in favor, motion approved.

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to enter into closed session for Redevelopment Negotiations regarding Stellwag Farms and Litigation – Jefferson Carr v. Township of Delran. All were in favor, motion approved.

Mrs. Kolodi made a motion to end closed session and reopen the meeting to the public. The motion was seconded by Mr. O'Connell. All were in favor, motion approved.

Mr. Schwartz made a motion to adjourn the meeting, seconded by Mrs. Kolodi. All were in favor, the meeting was adjourned.

Respectfully submitted,

Jamey Eggers, Township Clerk