

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**March 27, 2012
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, 2011 and posted on the bulletin board on the same date.

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

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

Ms. Pomeranz made a motion seconded by Mrs. Kolodi to approve the minutes for February 1, 2012, February 8, 2012 February 15, 2012, February 22, 2012 and February 28, 2012.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4

Nays: None

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2012-36**

WHEREAS, an emergency condition has arisen in the 2012 Temporary Budget to adequately provide funds for the operational needs of the township prior to the budget adoption date and as cited by N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purposes above mentioned, and

WHEREAS, the total emergency temporary resolution adopted in the year 2012 pursuant to the provisions of Chapter 96 P.L. 1951 (N.J.S.A. 40AL4-20) including this resolution total \$7,560,163.38 as detailed below.

Current Fund

	Salaries and Wages	Other Expenses	Total
Division of Administration			
Administration	57,640.54	19,023.00	76,663.54
Mayor & Council	4,880.70	1,019.66	5,900.36
Public Relations	0.00	1,360.00	1,360.00

Municipal Clerk	20,805.28	7,089.00	27,894.28
Division of Parks and Recreation			
Recreation Committee	2,204.90	6,843.52	9,048.42
Advisory Agencies and Councils			
Juvenile Conference Committee	0.00	34.00	34.00
Department of Finance			
Division of Accounts and Controls			
Municipal Auditor			
Audit Services	0.00	9,520.00	9,520.00
Division of Treasury			
Treasurer	41,893.10	4,437.00	46,330.10
Division of Revenue			
Bureau of Assessments	19,461.60	4,508.40	23,970.00
Bureau of Collections	52,431.06	2,718.98	55,150.04
Department of Engineering			
Township Engineer	0.00	15,300.00	15,300.00
Department of Law			
Township Solicitor	0.00	30,600.00	30,600.00
Department of Public Safety			
Division of Police			
Police Force	1,183,358.78	89,675.00	1,273,033.78
School Traffic Guards	28,833.02	170.00	29,003.02
First Aid Organization - Contribution		34.00	34.00
Division of Emergency Management	964.58	340.00	1,304.58
Department of Public Works and Public Safety			
Division of Roads and Public Property			
Streets and Roads	299,795.34	64,600.00	364,395.34
Solid Waste Collection	0.00	181,900.00	181,900.00
Recycling	48,495.22	7,225.00	55,720.22
Public Buildings and Grounds	0.00	35,020.00	35,020.00
Department of Health			
Division of Health	15,325.50	68.00	15,393.50
Dog Regulation		8,840.00	8,840.00
Statutory Agencies			
Municipal Land Use Law (40:55D.1)			
Zoning Board of Adjustments	0.00	6,732.00	6,732.00
Municipal Prosecutor	0.00	5,410.76	5,410.76
Planning Board	15,393.50	9,443.50	24,837.00
Zoning Officer	4,027.30	0.00	4,027.30
Landfill/Solid Waste Disposal Costs	0.00	170,680.00	170,680.00
Utility Expenses and Bulk Purchases			
Electricity/Gas	0.00	79,645.00	79,645.00
Street Lighting	0.00	73,100.00	73,100.00
Telephone	0.00	12,240.00	12,240.00
Water	0.00	25,105.60	25,105.60
Gasoline	0.00	59,500.00	59,500.00
Municipal Court	47,423.88	4,222.12	51,646.00
Public Defender (P.L. 1997, C. 256)	0.00	2,283.78	2,283.78
Insurance (N.J.S.A. 40A:4-45.3(00))			
General Liability	0.00	80,750.68	80,750.68

Workers Compensation	0.00	63,785.36	63,785.36
Employee Group Health	0.00	421,177.04	421,177.04
P.L. 2000, Chapter 26			
Solid Waste Services to Apartments			
Collection	0.00	39,100.00	39,100.00
Disposal	0.00	24,820.00	24,820.00
Construction Code Official	73,964.96	3,417.00	77,381.96
Salary Adjustment	8,500.00	0.00	8,500.00
Interest on Developers' Deposits	0.00	680.00	680.00
Contingent	0.00	1,700.00	1,700.00
Statutory Expenses			
PERS	0.00	289,644.00	289,644.00
Social Security	0.00	153,709.92	153,709.92
PFRS	0.00	655,462.00	655,462.00
Unemployment Insurance	0.00	340.00	340.00
Defined Contribution	0.00	340.00	340.00
Total Operations within CAPS	1,925,399.26	2,041,263.44	3,966,662.70
Length of Service Awards Program	0.00	27,880.00	27,880.00
Landfill Recycling Fees - 2008	0.00	9,180.00	9,180.00
Public & Private Programs Offset by Revenues			
Clean Communities	0.00	6,562.68	6,562.68
Recycling Tonnage	0.00	10,974.51	10,974.51
Alcohol Education and Rehab	0.00	1,966.22	1,966.22
Municipal Alliance	0.00	5,100.00	5,100.00
Safe and Secure Communities	0.00	29,389.60	29,389.60
Over the Limit Under Arrest	0.00	1,360.00	1,360.00
Body Armor	0.00	1,001.05	1,001.05
Unidentified	0.00	1,755.08	1,755.08
Capital Improvement Fund	0.00	32,500.00	32,500.00
Municipal Debt Service			
Payment of Bond Principal	0.00	1,021,000.00	1,021,000.00
Interest on Bonds	0.00	334,652.00	334,652.00
Deferred Charges			
Special Emergency Authorizations	0.00	6,800.00	6,800.00
Reserve of Uncollected Taxes	0.00	69,481.64	69,481.64
	1,925,399.26	3,600,866.22	5,526,265.48

Sewer Utility Fund

Operating	197,662.40	566,635.50	764,297.90
Capital Improvement Fund		8,500.00	8,500.00
Debt Service			
Payment of Bond Principal	0.00	350,000.00	350,000.00
Interest on Bonds	0.00	27,000.00	27,000.00
Interest on Notes	0.00	5,100.00	5,100.00
Payments on Infrastructure Loans	0.00	838,200.00	838,200.00

Statutory Expenditures			
PERS	0.00	23,460.00	23,460.00
Social Security	0.00	16,320.00	16,320.00
Unemployment	0.00	1,020.00	1,020.00
	197,662.40	1,836,235.50	2,033,897.90

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20 this emergency temporary appropriation is hereby made to include all budget line items that have been provided for in the 2011 budget. That one certified copy of this resolution be filed with the Director of Local Government Services.

Mr. Schwartz made a motion, seconded by Ms. Pomeranz to adopt the Resolution 2012-36

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4

Nays: None

Motion Approved

RESOLUTION 2012-37

**FINAL CHANGE ORDER
IMPROVEMENT TO YANSICK AND
MORELAND DRIVE**

WHEREAS, it was necessary to make changes in the contract for the Improvements to Yansick and Moreland Drive; and

WHEREAS, final 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 final Change Order hereby authorized and approval is hereby granted to revise the amount from \$228,900.00 to \$249,518.14 (Increase of \$20,618.14)

Mrs. Kolodi made a motion, seconded by Mr. Schwartz to adopt the Resolution 2012-37

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

RESOLUTIONS ON CONSENT AGENDA

Resolution 2012-38 Approving Bingo License 2012-1 for Holy Cross High School PTA

Resolution 2012-39 Opposing the rate increase by New Jersey American Water Company

Ms. Pomeranz made a motion, seconded by Mrs. Kolodi to adopt the resolutions.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

MOTIONS

Mr. Schwartz made a motion to appoint Mary Tompkins to the Recreation Advisory Committee for a term to expire December 31, 2012. The motion was seconded by Mrs. Kolodi.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

Ms. Pomeranz made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mrs. Kolodi.

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4
Nays: None

Motion Approved

Mr. Schwartz 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.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4

Nays: None

Motion Approved

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

1. Street Dreams Auto Sales, 6010 Route 130 North
2. Precision Auto Sales, 207A-16 Carriage Lane
3. Fastersports Training, 2902 Route 130 North

There being no questions, the roll was called.

Mrs. Kolodi, Mr. Schwartz, Ms. Pomeranz and Mr. Morrow voted aye.

Ayes: 4

Nays: None

Motion Approved

REPORTS

Mr. Hatcher - Mr. Hatcher reported that Clean Community Day will be on Friday, April 17th from 7:00 AM to 7:00 P.M. and Saturday, April 18th from 7:00 AM to 5:00 PM. There is information posted on the website.

Also, NJ American Water Company is flushing the water mains in the area until April 13th. There is information posted on the website for the residents.

Mr. Coluzzi – No report.

Mr. Bauer – Mr. Bauer reported on the fire at Tenbytowne Apartments. The cause of the fire is undetermined but began in the front bedroom and had a huge head start before the department was called.

There was a small incident on Spruce Street with a fire pit and embers that were not completely out. The wind caused the embers to blow and caused a brush fire. There was small damage to a shed.

Ms. Pomeranz – Ms. Pomeranz mentioned that the Fire Department will be holding lunch with the Easter Bunny on April 30th from 12:30 P.M. to 2:30 P.M. at the Chester Avenue Station.

The County is sponsoring on clean-up of Amico Island on April 22nd from 10:00 A.M to 1:00 P.M., which is Earth Day. Anyone wishing to volunteer can register with the County.

Mr. Schwartz – Mr. Schwartz thanked Council and Public Works for the work on the Lake Lonnie property. The residents were happy with the work.

Mr. Schwartz reported that the he attended the Turkish Community coffee night.

Mr. Schwartz stated that the Fire Department did an excellent job with the fire at Tenbytowne Apartments. It could have turned into a catastrophic event.

Mr. Schwartz thanked Mayor and Council for moving forward with the issues at Swedes Lake.

Mrs. Kolodi – Mrs. Kolodi stated that she has received a number of calls regarding leaves and branches. She reminded everyone that the schedule is posted on the site and reminded everyone to adhere to that schedule.

Mr. Morrow – Mr. Morrow reported that the public hearing on the municipal budget is April 24th. The sewer bills have been mailed and are due on April 1st.

Mr. Morrow stated that the leaf pick-up is during the month of April. Residents can also bring the leaves in bags to the municipal building after that date. Branch collection will also run until October.

Mr. Paris – Mr. Paris thanked Public Works for working very hard with the clean-up at Lake Lonnie.

Mr. Paris reported that budget is looking very stable and we were able to reduce spending.

Mr. Paris stated that last week he was notified that we have received two grants. We received a \$200,000 grant to complete Phase-V of Haines Mill Road. Two days later, we were notified that we received a \$215,000 Safe Streets to Transit Grant for sidewalks along Fairview Street. This grant came out of a meeting we had with Senator Allen, Assemblyman Singleton and the NJDOT. We are the only town in the County to receive two grants through the DOT this year and one of only three in the state to receive a Safe Streets to Transit grant. Mr. Paris stated that we are also applying for a \$250,000 grant for Phase-2 of the Myers Tract Improvements. Mr. Paris thanked Assemblyman Singleton for his efforts and invited him to say a few words.

Assemblyman Singleton stated that he has only represented this community for a little over one hundred days. He and Senator Allen had a long conversation regarding the importance of the issue along Route 130. They went to the head of DOT to go over these issues and the danger of Route 130. The partnership between all of them made this happen. We all care

about the safety of the residents. He will continue to work for the communities that he represents.

PUBLIC PORTION

Mrs. Kolodi made a motion, seconded by Ms. Pomeranz to open the meeting to the public for any questions. All were in favor, the motion was approved.

Mr. Ogozalek, Sr., 401 Main Street, discussed the incident on January 24th. He asked what the penalty will be if he goes over the five minute time limit.

Mr. Morrow stated that there is no penalty, he would just ask that if Mr. Ogozalek, Sr. has questions that are going to take a significant amount of time that he wait until we go through the rest of the public first.

Mr. Ogozalek, Sr. asked if we are going to pass a law limiting comment to five minutes.

Mr. Morrow stated that we have not adopted a Resolution.

Mr. Coluzzi stated that the Open Public Meetings Act allows Council to put reasonable limits on public comments.

Mrs. Kolodi stated that if a resident uses the five minutes they will have another opportunity to speak again once everyone has had a chance.

Mr. Ogozalek, Sr. stated that last month he was advised that the Solicitor advised the individual to be escorted out of the meeting.

Mr. Coluzzi stated that it was Mr. Long that was in attendance that night. It is within the rights of this Solicitor to have someone removed from a meeting.

Mr. Ogozalek, Sr. stated that he does not feel that there was anything in the minutes from the January 24th meeting that justified the individual being escorted out.

Mr. Ogozalek, Sr. feels that Council is lying about this issue. He read a copy of the police report from the incident.

Mr. Barker, 154 Drew Court, stated that he was one of the individuals at the meeting and he would like an explanation on the job of the Solicitor. He feels that on January 24th the Solicitor impeded the public right to speak at the meetings. He stated that he heard Mr. Long turn to Mr. Hatcher that night and he told Mr. Hatcher to have Mr. Barker locked up. Mr. Barker then stated that if he did he would sue for false arrest. His obligation should be to advise Council on legal matters not to interfere with the public.

Mr. Coluzzi stated that part of the Solicitor's obligation is to make sure that laws are being enforced. There are laws on the books that require and permit Township Council to maintain decorum at public meetings. The Solicitor has an obligation to ensure those regulations are followed and advise Council accordingly.

Mr. Barker asked if those obligations allow the Township Solicitor to request someone to be locked up.

Mr. Coluzzi stated that there are state statutes that state that if an individual is creating a disorderly persons offense within the meeting they can be removed and charged.

Mr. Barker asked if that can happen on orders by the Solicitor.

Mr. Coluzzi stated yes.

Mr. Barker asked if the Solicitor has the right to impede the first amendment rights of the residents.

Mr. Coluzzi stated that the residents do not have first amendment rights within the meeting. This is a public meeting and there are regulations.

Mr. Barker stated that he was only asking questions at the January 24th meeting and he feels his rights were impeded by Mr. Long.

Mr. Hatzold, 301 Main Street, recommended that Council consider going back to a quarterly billing for sewer.

Mr. Hatcher stated that we will be evaluating that after this year.

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

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

Submitted,

Jamey Eggers
Municipal Clerk