



TOWNSHIP OF DELRAN

WORK SESSION

APRIL 25, 2023 | 7:00 PM

I. Call to Order

II. 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 6, 2023 and posted on the bulletin board on the same date.

III. Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

IV. Work Session

- a. Stewart Avenue Reconstruction Project Update
- b. Review of 2023 Bond Ordinances – Status of Project

V. Minutes for Approval

- a. Approval of the minutes for the January 10, 2023 Public Meeting

Moved By _____ Seconded By _____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

- b. Approval of the minutes for the January 24, 2023 Work Session Meeting

Moved By _____ Seconded By _____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

VI. Ordinance(s) on First Reading

- a. **Ordinance 2023-06** Bond Ordinance Authorizing the Undertaking of Various Roadway Improvements in and for the Township of Delran; Appropriating the Sum of \$1,207,500 Therefor; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation

Notes of the Township of Delran, County of Burlington, New Jersey, in the Aggregate Principal Amount not to Exceed \$889,105; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With the Foregoing

Moved By_____Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:
Nays:
Approved:

- b. Ordinance 2023-07** Bond Ordinance Authorizing The Completion Of Various Sewer Utility Improvements In And For The Township Of Delran; Appropriating The Sum Of \$850,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Delran, County Of Burlington, New Jersey, In The Aggregate Principal Amount Not To Exceed \$850,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

Moved By_____Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:
Nays:
Approved:

- c. Ordinance 2023-08** An Ordinance of The Township of Delran, County of Burlington, New Jersey, Appropriating \$800,000 From American Rescue Plan Act Funds For The Undertaking Of Various Roadway Improvements

Moved By_____Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:
Nays:
Approved:

- d. Ordinance 2023-09** Bond Ordinance Authorizing The Undertaking Of Various Capital Improvements And The Acquisition Of Capital Equipment In And For The Township Of Delran; Appropriating The Sum Of \$448,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Delran, County Of Burlington, New Jersey, In The Aggregate Principal Amount

Not To Exceed \$425,600; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

Moved By_____ Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

- e. **Ordinance 2023-10** Bond Ordinance Authorizing The Supplemental Funding For The Completion Of Sewer Utility System Improvements And Upgrades In And For The Township Of Delran; Appropriating The Sum Of \$1,000,000 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Township Of Delran, County Of Burlington, New Jersey, In The Aggregate Principal Amount Not To Exceed \$1,000,000; Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

Moved By_____ Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

VII. Consent Agenda

- a. **Resolution 2023-65** Award Contract Route 130 Sanitary Rehabilitaion – Phase I
- b. **Resolution 2023-66** Emergency Temporary Appropriations N.J.S.A. 40A:4-20 Extending Temporary Budget through May 9. 2023
- c. **Resolution 2023-67** A Resolution Authorizing the Township of Delran to Execute an Agreement with Burlington County for Cooperative Participation in the Community Development Act of 1974, Fiscal Year 2024-2026
- d. Approval of Minutes:
- 2-14-23 Public Meeting
 - 2-28-23 Work Session
- e. Authorizing the Payment of Bills including all purchases made under the Cooperative Purchasing Agreement

f. A motion granting mercantile licenses to:

- R & S Auto Sales, LLC 150 A-29 Carriage Lane

Moved By_____ Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

VIII. Reports

- a. Township Administrator – Joseph B. Bellina
- b. Clerk – Jamey Eggers
- c. Mayor - Gary Catrambone
- d. Solicitor – Mark A. Tabakin, Esq.
- e. Engineer – Ed D’Armiento, CME Associates
- f. Council Members

IX. Public Comments

X. Executive Session- Resolution 2023-68 Authorizing Executive Session to discuss the following: Litigation – Duff v. Delran Township

XI. Resolution(s)

- a. **Resolution 2023-69** Authorization to Execute Settlement & Release of All Claims in Patrick Duff v. Delran Township, Et. Al. BUR-L-002254-22

Moved By_____ Seconded By_____

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, Mr. Burrell

Ayes:

Nays:

Approved:

XII. Adjournment

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-06

BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS ROADWAY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$1,207,500 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$889,105; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$1,207,500;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$889,105; and
- (c) a down payment in the amount of \$46,795 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$889,105, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$46,795, which amount represents the required down payment, and a grant from the New Jersey Department of Transportation in the amount of \$271,600, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$889,105 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$889,105 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$241,500.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Various Roadway Improvements including, but not limited to, Stewart Avenue, Red Stone Ridge, Pine Valley Road, Drew Court and Randall Court, together with the completion of all work necessary therefor or related thereto	\$1,207,500	\$271,600	\$46,795	\$889,105	10 years

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 10 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is

increased by this Bond Ordinance by \$889,105 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements

authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: **April 25, 2023**

Date of Final Adoption: _____ __, 2023

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-07

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS SEWER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$850,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$850,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$850,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$850,000.

Section 3. The sum of \$850,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$850,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$850,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price

plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$170,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Sanitary Sewer Improvements and Installations including for, but not limited to, Stewart Avenue, Red Stone Ridge, Pine Valley, Drew Court and Randall Court, together with the completion of all work necessary therefor or related thereto, al as more particularly set forth in the plans on file with the Township Engineer	\$850,000	\$0	\$850,000	30 years

Section 8. The average period of useful life of the purpose for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purpose, is not less than 30 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$850,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes

authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: April 25, 2023

Date of Final Adoption: _____, 2023

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-08

**AN ORDINANCE OF THE TOWNSHIP OF DELRAN,
COUNTY OF BURLINGTON, NEW JERSEY,
APPROPRIATING \$800,000 FROM AMERICAN RESCUE
PLAN ACT FUNDS FOR THE UNDERTAKING OF
VARIOUS ROADWAY IMPROVEMENTS**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$800,000 from funding made available to the Township of Delran, County of Burlington, New Jersey ("Township") pursuant to the American Rescue Plan Act of 2021, and currently held in the Township's capital fund, for the undertaking of various roadway improvements including, but not limited to, Red Stone Ridge, Pine Valley Road, Drew Court, Randle Court and Stewart Avenue, together with the completion of all work necessary therefor or related thereto.

Section 2. It is hereby determined and stated that the improvements set forth in Section 1 are general capital improvements and not a current expense.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution 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, is on file with the Municipal Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

GARY CATRAMBONE, Mayor

Attest:

[Seal]

JAMEY EGGERS, Municipal Clerk

Date of Introduction: April 25, 2023

Date of Final Adoption: _____

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-09

BOND ORDINANCE AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$448,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$425,600; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$448,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$425,600; and
- (c) a down payment in the amount of \$22,400 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A.* 40A:2-11.

Section 3. The sum of \$425,600, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$22,400, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$425,600 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$425,600 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$89,600.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Completion of Various Improvements to Municipal Building including, but not limited to, Security Upgrades, Flooring Replacement and Conference Room Upgrades, together with the completion of all work necessary therefor or related thereto	\$68,000	\$3,400	\$64,600	15 years
B.	Acquisition of Pick Up Trucks (including acquisition Plows and Spreaders for same), together with the completion of all work necessary therefor or related thereto	130,000	6,500	123,500	5 years
C.	Acquisition of Heavy Duty Dump Truck, together with the completion of all work necessary therefor or related thereto	185,000	9,250	175,750	10 years
D.	Acquisition of Various Equipment for the Public Works and Parks and Recreation Departments including, but not limited to, Slice Spreader and Pulverizer, together with the completion of all work necessary therefor or related thereto	22,000	1,100	20,900	15 years
E.	Completion of Improvements to Township Impound Lot including, but not limited to Security Improvements, together with the completion of all work necessary therefor or related thereto	15,000	750	14,250	10 years
F.	Acquisition of Equipment for Police	28,000	1,400	26,600	7 years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
	Department including, but not limited to, Fingerprint System, together with the completion of all work necessary therefor or related thereto				
	TOTAL	\$448,000	\$22,400	\$425,600	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 9.36 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$425,600 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: **April 25, 2023**

Date of Final Adoption: _____ __, 2023

TOWNSHIP OF DELRAN, NEW JERSEY

ORDINANCE 2023-10

BOND ORDINANCE AUTHORIZING THE SUPPLEMENTAL FUNDING FOR THE COMPLETION OF SEWER UTILITY SYSTEM IMPROVEMENTS AND UPGRADES IN AND FOR THE TOWNSHIP OF DELRAN; APPROPRIATING THE SUM OF \$1,000,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Delran, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Delran, County of Burlington, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$1,000,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,000,000.

Section 3. The sum of \$1,000,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$1,000,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$1,000,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby

directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$200,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Sewer Utility System Improvements and Upgrades including, but not limited to, Service Water System Upgrades and Aeration Blower Improvements, together with the completion of all work necessary therefor or related thereto, al as more particularly set forth in the plans on file with the Township Engineer	\$1,000,000	\$0	\$1,000,000	30 years

Section 8. The average period of useful life of the purpose for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purpose, is not less than 30 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,000,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution 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, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: May __, 2022

Date of Final Adoption: _____, 2022

**TOWNSHIP OF DELRAN
RESOLUTION 2023-65**

**A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
THE ROUTE 130 SANITARY SEWER REHABILITATION – PHASE I
TO MOBILE DREDGING & VIDEO PIPE, INC.**

WHEREAS, Delran Township held a public bid opening on March 22, 2023, for bids the Route 130 Sanitary Sewer Rehabilitation – Phase I project (the “Contract”); and

WHEREAS, Delran Township received two bids for the Contract as follows:

	Name	Base Bid
1.	Mobile Dredging & Video Pipe, Inc.	\$652,867.60
2.	Insituform Technologies	Did not acknowledge the receipt of addendum No. 1 on page C-5. The addendum included revisions/additions to the bid items.

WHEREAS, the Township Engineer has reviewed said bids, and a summary and recommendation dated March 24, 2023, is attached hereto and made part hereof as Exhibit “A”; and

WHEREAS, Mobile Dredging & Video Pipe, Inc. is the lowest bidder for this Project; and

WHEREAS, the bid submitted Mobile Dredging & Video Pipe, Inc. did not contain any irregularities which would deem their bid to be non-responsive; and

WHEREAS, as the Township has indicated no prior negative history between the Township and Mobile Dredging & Video Pipe, Inc.; therefore, Mobile Dredging & Video Pipe, Inc. is to be considered a responsible bidder; and

WHEREAS, a certification of availability of funds has been provided by the Chief Financial Officer; and

WHEREAS, this contract is being awarded pursuant to N.J.S.A. 40A:11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Delran that the contract for this project shall be awarded to Mobile Dredging & Video Pipe, Inc., 1566 Harding Highway, Newfield, NJ 08344 for the Base Bid for a total contract amount of \$553,113.13 with terms in accordance with the bid specifications.

BE IT FURTHER RESOLVED, the appropriate officials and appointees be and they are hereby authorized to prepare, review and/or execute any and all necessary documents relative to this contract authorization.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: April 25, 2023

SO RESOLVED.

Witnessed by:

TOWNSHIP OF DELRAN

Jamey Eggers, Township Clerk
Township of Delran
Date signed: April ____, 2023

Council President

**TOWNSHIP OF DELRAN
RESOLUTION 2023-66**

**EMERGENCY TEMPORARY
APPROPRIATIONS NJSA 40A:4-20
EXTENDING THE TEMPORARY BUDGET
PERIOD THROUGH MAY 9, 2023**

WHEREAS, NJSA 40A:4-20 provides for additions to the adopted Temporary Appropriations as necessary prior to adopting the annual budget for the purposes and amounts required; and

WHEREAS, in January of 2023 the Township Council approved a \$4,391,591.89 for Current Fund and \$1,593,071.72 for Sewer Utility Temporary Budget to provide funding until the 2023 budget is adopted; and

WHEREAS, the budget calendar contemplates adopting a budget before April 28th; and

WHEREAS, current fiscal and economic conditions caused a delay in the budget process; and

WHEREAS, it is now necessary to extend the Temporary Budget through May 9, 2023.

NOW, THEREFORE, BE IT RESOLVED, By the Township Council of the Township of Delran, County of Burlington and State of New Jersey, that the total Temporary Budget Appropriations for 2023 inclusive of this Emergency Temporary Budget Appropriation shall not exceed \$7,319,319.81 for Current Fund and \$2,655,119.54 for Sewer Utility excluding operating and debt appropriations until such time that the 2023 Budget is adopted approved by the Division of Local Government Services.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Burrell					

Dated: April 25, 2023

**SO RESOLVED,
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

Council President Tyler Burrell

Date signed: April ____, 2023

TOWNSHIP OF DELRAN
RESOLUTION 2023-67
A RESOLUTION AUTHORIZING THE TOWNSHIP OF
DELRAN TO EXECUTE AN AGREEMENT WITH
BURLINGTON COUNTY FOR COOPERATIVE
PARTICIPATION IN THE COMMUNITY DEVELOPMENT
ACT OF 1974
FISCAL YEAR 2024-2026

BE IT RESOLVED AND ENACTED, by the Township Council of the Township of Delran, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

SECTION I. Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

SECTION II. It is necessary to establish a legal basis for the County and its people to benefit from this Program; and

SECTION III. An Agreement has been proposed under which the (Municipality) and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and

SECTION IV. It is in the best interest of the Township of Delran that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.

SECTION V. The Township of Delran shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Delran and affix thereunto the Official Seal.

SECTION VI. All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.

SECTION VII. This Resolution shall take effect immediately after passage and publication as provided by law.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Burrell					

Dated: April 25, 2023

**SO RESOLVED,
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

Council President Tyler Burrell

Date signed: April ____, 2023

**TOWNSHIP OF DELRAN
RESOLUTION 2023-68**

**AUTHORIZING EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:
LITIGATION – DUFF V. DELRAN TOWNSHIP**

WHEREAS, N.J.S.A. 10-4.6 et seq. (Open Public Meeting Act) provides for the exclusion of the public from public meeting for certain reasons; and

WHEREAS, it is necessary to close the work session meeting of April 25, 2023 for the following reasons:

1. Litigation – Duff v. Delran Township

NOW THEREFORE BE IT RESOLVED that the meeting is closed for the reasons above in accordance with the Open Public Meeting Act.

Council Member	Yes	No	Abstain	Recuse	Absent
Apeadu					
Smith					
Jeney					
Lyon					
Council President Burrell					

Dated: April 25, 2023

Witnessed by:

**SO RESOLVED.
TOWNSHIP OF DELRAN**

**Jamey Eggers, Township Clerk
Township of Delran**

Council President Tyler Burrell

Date signed: April __, 2023