

**WORK SESSION
MUNICIPAL BUILDING**

**April 26, 2016
DELRAN, NJ**

Sunshine Statement: Be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice advertised in the Burlington County Times and Camden Courier Post on January 12, 2016 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. Long, Solicitor, Mr. Hatcher, Administrator and Ms. Eggers, Municipal Clerk.

SHARED SERVICE AGREEMENT – ROCK SALT

Mr. Hatcher stated that Riverside requested a Shared Service for rock salt. We would have to do the purchasing for them because they did not get their application in to the County in time. We do not have an issue but the difficulty we have with Riverside is that do not always plan in advance. We would to change the agreement that they presented so that they only have access to the amount of salt they ordered and paid for in advance. They want us to purchase the salt and then be able to pay for use, which does not work for us. If Council agrees, we will forward this back to Riverside with the requested changes. Council agreed.

HMGP DISCUSSION

Mr. Catrambone stated that Mr. Winckowski explained in his letter that we have gone through every step to try and make this happen. The two candidates we had it narrowed down to have been unresponsive or are no longer interested in the program.

Mr. Winckowski reported that since he wrote the letter he was able to contact the resident at 32 River Drive. They are still interested and will sign the Citizen Declaration form and return it to FEMA. Council will need to authorize a maintenance agreement with NJ Office of Emergency Management stating that the Township will be responsible for the maintenance of the property. There is also a 10% cost share that has to come from a non-federal agency. Typically the 10% comes off the purchase price to satisfy that requirement and all the soft cost are paid for by the municipality. The total cost is estimated at approximately \$200,000 including purchase price and demolition, which means \$20,000 would be the cost share. This program takes a long time to complete. There is also a mortgage on the property which will complicate the process.

Council agreed to move forward with this process and adopt a Resolution to authorize the maintenance agreement.

**TOWNSHIP OF DELRAN
RESOLUTION 2016-86**

BE IT RESOLVED by the Township Council of the Township of Delran, that Mayor Kenneth Paris is hereby authorized and directed to sign Maintenance Agreement for New Jersey Office of Emergency Management Hazard Mitigation Grant Program for 32 River Drive.

Mr. Schwartz made a motion, seconded by Mrs. Kolodi to adopt Resolution 2016-86.

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

DELRAN DAY

Mr. Catrambone stated that he received a request from Mike Anderson, President of the Delran Business Association to include a car show as part of Delran Day. According to Mr. Hatcher's memo, they are willing to cooperate with all the requirements. Delran Day is scheduled for September 25th. Council agreed to include the car show.

SEWER APPEALS

Block 46, Lot 9 – The property had a broken pipe and they provided proof of the repair. The property is vacant and we recommend adjustment to the commercial minimum billing. Council agreed.

Block 97, Lot 38 – Property owner submitted a claim indicating that they were billed for consumption of 18,000 gallons. They indicated that there are only two people living in the home but there is no report of a leak. We cannot recommend approval of an adjustment. Council agreed.

Block 118, Lot 4 – Property owner indicated that there was a drip in January 2015 and 24,000 gallons were used in that month. Several of the bills are over the minimum and they provide no proof that there was a leak or that a leak was repaired. We cannot recommend approval of an adjustment. Council agreed.

Block 3, Lot 14 – Property was recently purchased and the new owner intends to demolish the building. They are requesting the sewer bill be adjusted from commercial to the residential minimum. Council agreed.

Block 182, Lot 11 – Resident came in to pay sewer bill for his mother's property at 121 Patricia Avenue. The fourth quarter amount was not included in the amount he was told to pay and the payment was credited to his sewer account in error. The property ended up going to sale tax sale. Mr. Silva is requesting the associated tax sale cost incurred to the

error be refunded. Total costs were \$201.26. Due to the error in the office, we recommend the refund. Council agreed.

Block 155, Lot 15 – The property owner submitted a claim indicating that their consumption was 33,000 gallons, not the 39,000 gallons they were billed. However, they based this on the payment due date not the consumption calculation dates. No adjustment should be made as the consumption of 39,000 gallons is correct.

NEW OWNERS/SEWER

Mr. Hatcher stated that the following property at 119 Timothy Court has a new owners and based on the regulations, the sewer bill for 2016 will be adjusted to the minimum. Council agreed.

PRELIMINARY FLOOD INSURANCE RATE MAPS

Mr. Catrambone asked that Council be able to get a PDF copy of the map.

Mr. Hatcher stated that he will go through the disk provided and try figure out the page that belongs to Delran. Moving forward, there will need to get comments from the public and a public hearing regarding the updated maps. Mr. Winckowski just received the maps today.

Mr. Winckowski stated that there is not much that the Township will be able to do and in a quick review it does not appear much is changing. What we want to look for is a change that would incorporate a municipal facility or a residential property. It does not appear that has happened but we will review the map in more detail. You also want to look for any major changes. It has been thirty years, since the last update. Once the new maps go into effect, which is several years away, flood insurance rates could be impacted. Mr. Winckowski will provide Council with a summary on the changes.

DECLARATORY JUDGEMENT COMPLAINT/MUNICIPAL CONSORTIUM

Mr. Long stated that the Municipal Consortium is requesting additional retainer of \$2,000 to continue the ongoing litigation regarding COAH. There is the possibility that additional funds will be requested as this litigation starts to move forward. Mr. Long stated that he strongly recommends that we provide the additional contribution as it would cost the Township significantly more if we were to try and litigate this ourselves.

Mr. Hatcher asked Mr. Long if he feels the litigation will ultimately be settled.

Mr. Long stated that there will be towns that will settle because they are comfortable with their COAH numbers. Unless there is something done to address this moving forward, he is not sure we would want to settle. Mr. Long stated that there is a Resolution included in the packet tonight and if Council feels comfortable, he asks that the Resolution be adopted tonight.

Council had no questions and agreed to adopt the Resolution tonight.

**TOWNSHIP OF DELRAN
RESOLUTION 2016-87**

**A RESOLUTION OF THE TOWNSHIP OF DELRAN AUTHORIZING THE ADDITIONAL
RETAINER REQUESTED BY THE MUNICIPAL GROUP**

WHEREAS, the Township of Delran has filed a Declaratory Judgment Action in the Superior Court of New Jersey Gloucester County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015); and

WHEREAS, Fair Share Housing Center ("FSHC"), through the services of Dr. David Kinsey, has prepared what it considers to be the statewide fair share numbers for use by the Mount Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, the Township of Delran joined the Municipal Group, a consortium of over two hundred seventy-five New Jersey municipalities from throughout the state in order to pool resources, which allowed for the hiring of an expert to counter the FSHC's affordable housing numbers and the performance of other additional tasks; and

WHEREAS, each member municipality of the Municipal Group contributed a \$2,000.00 retainer upon joining the Municipal Group; and

WHEREAS, the Municipal Group, administered and led by Jeffrey R. Surenian, Esquire, has hired Econsult Solutions, Inc. as its expert, which has submitted and updated its expert report, and the Municipal Group having performed such other tasks as appealing decisions adverse to municipalities' positions in order to prevent other Judges from following those adverse decisions, has provided an immense benefit, which the Township would not have been able to achieve on its own; and

WHEREAS, the Municipal Group continues to represent municipalities' interests, including the Township's interests, throughout the state and the Municipal Group has requested an additional \$2,000.00 retainer in order to permit it to continue representing its members' interests; and

WHEREAS, the Municipal Groups has requested that checks be made out to "Jeffrey R. Surenian and Associates, Attorney Trust Account" and should be mailed to 707 Union Avenue, Suite 301, Brielle NJ 08730 and sent to the attention of Laura Nelson; and

WHEREAS, the \$2,000.00 retainer is payable from the Township's COAH Affordable Housing Trust Account as an administrative expense; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Delran, as follows:

1. The amount of \$2,000.00 is hereby authorized to be expended by the Township of Delran for the Municipal Group, to be made out to "Jeffrey R. Surenian and Associates, Attorney Trust Account," mailed to 707 Union Avenue, Suite 301, Brielle NJ 08730 and sent to the attention of Laura Nelson.

2. This Resolution shall take effect immediately.

Ms. Pangia made a motion, seconded by Mr. Schwartz to adopt Resolution 2016-87.

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

BID REPORT – SWEDES LAKE OUTFALL

Mr. Winckowski stated that they received bids on April 21, 2016. The low bid was from R. Moslowski Excavating for a base bid of \$46,653 and addition A for \$390. This is below the Engineer's estimate. A bid report went out today and once everyone was a chance to review that, we ask that Council consider awarding this project at the public meeting. Council agreed.

BID REPORT – ANNUAL MAINTENANCE AND REPAIR OF SANITARY SEWER SYSTEM

Mr. Winckowski reported that bids were received on April 21, 2016 and the low bid was from Montana Construction for a total cost of \$48,467. Again, the bid report went out today and once everyone has a chance to review that, we ask that Council consider awarding this project at the public meeting. We have discussed the bid with Jeff Williams and he is in agreement. Council agreed.

BORGERS, SANDERS, TAYLOR & ASSOCIATES, LLC – AMENDED PROPOSAL

Mr. Hatcher reported that the last time we discussed their proposal we were asked to go back and meet with them to try narrow down the upfront costs and what would be done on a contingency basis. They came back with a proposal of \$15,000 for upfront costs and then after that the Township would receive 60% of the profits and they would receive 40%. Mr. Hatcher reminded Council that this item will have to be put out to an RFP. We do not have funds budgeted for this cost. Mr. Hatcher stated that he recommends when we go out for RFP's, we have all cost be based on contingency. At this point, Council needs to determine how and if they want to proceed.

Mr. Catrambone asked Mr. Long if he could draft an RFP based on the information we have.

Mrs. Kolodi asked if it would more feasible to hire someone to handle this process.

Mr. Hatcher stated that it would take more than one employee. In their original proposal, they estimated the need for five municipal employees.

Mr. Long stated that during the meeting they had a chance to talk to representatives from East Orange and they have been very successful. They modeled the proposal after that community.

Mr. Hatcher stated that there is an issue with contracts that include contingencies. He sent a letter to the Division and did not receive any answer. The Division of Local Government Services used to frown on contracts with contingencies. Mr. Hatcher asked Mr. Long has any experience with those contracts or if there has been an opinion from the Division on the issue.

Mr. Long stated that it was frowned upon but in having a conversation with the Gloucester County representatives, where they are running a similar program county wide, they seem pretty comfortable that the State is okay with the entering into a contract that includes contingencies. This is only way municipalities will be able to have this service. Mr. Long stated that he will prepare a draft RFP for Council to review.

TRUCK WEIGHT EXCLUSION

Mr. Catrambone stated that it appears we need to amend the ordinance to add that Stoneham Drive, Grande Blvd. and Castleton Road to the list of streets the prohibit trucks over five tons.

Council agreed. Mr. Long will draft an amendment to the ordinance for introduction at the public meeting.

Mr. Winckowski stated that he will check and see if an Engineer's Certification is needed. If it is, it may delay introduction.

HISTORICAL SIGNS

Mr. Hatcher stated that he was hoping that hoping we would have the cost estimate from the Department of Correction prior to tonight's meeting but he did not. We sent them the information as well as drawings for ten signs. Mr. Hatcher asked if Council was comfortable with the purchase as long as the cost is under \$2,000. If it goes beyond that, he come back to Council for a decision. Council agreed.

2016 TURKISH FESTIVAL

Mr. Hatcher stated that the same individuals have reached out again this year for approval to host the festival again this year on August 27th at Delran Community Park. We will check with the Delran AA and make sure the date is not an issue.

Mr. Winckowski stated that there may be construction at the park with the concession/bathroom facility. Council did not feel it would be an issue.

Council agreed to approve the festival for August 27th as long as Mr. Hatcher receives all the necessary paperwork.

SEWER DEPARTMENT HIRE

Mr. Hatcher reported that we have several employees in the department that are either currently out or will be going out for an extended period of time. The department has been operating down three employees for quite some time. We would like to hire a new

employee. Mr. Hatcher stated that he does not feel there is any risk to this as there is the possibility that two employees will be retiring next year.

After discussion, Council authorized the hiring of one additional employee.

CAPITAL BUDGET

Mr. Hatcher stated that now that the budget has been adopted it is time to move the capital budget forward. He would like to know if Council wants to move forward with all or any of the items previously discussed or if they would any additional information on any of the items.

Mr. Schwartz stated that he believes the only thing left to determine are which roads will be done, everything else has been discussed and we should move forward.

Ms. Pangia asked why we are financing the office furniture.

Mr. Hatcher stated that most likely we won't but we have to include it in the budget.

Mr. Catrambone recommended that we move forward with all items except roads. We should discuss the road program at the next meeting. In the meantime, we can have Mr. DeSanto and Mr. Winckowski evaluate the roads and provide Council with an update list. We can also discuss the way we will chose the roads moving forward. Council agreed.

Mr. Winckowski stated that he will prepare the list of roads and cost estimates for Council to review.

Council agreed to move forward will all other items as discussed. The ordinance will be on placed on the public meeting agenda.

Mr. Schwartz apologized but he will have to leave the meeting to attend to a personal issue.

BOND ORDINANCE – CDBG PROJECT CREEK ROAD SIDEWALK

Mr. Hatcher stated that this issue was discussed at the previous work session and Council authorized preparation of the bond ordinance. The bond ordinance has been prepared and include for Council's review. If there are no issues, we will place the ordinance on the public meeting agenda for introduction. Council agreed.

REPORTS

Ms. Eggers – No report.

Mr. Hatcher – Mr. Hatcher reported that he received an email late this afternoon that Chief Cunningham wanted read at tonight's meeting so everyone was aware. He also forwarded the email to Mayor and Council. The email read:

On Friday the 29th the Delran Fire Company #2 on Chester Ave will be having the families affected by the fire in Hunters Glenn come to the station and go thru the very generous donations that were made by the great residents of Delran Township and also from surrounding

towns and agencies. The family will be arriving around 3pm on Friday and we would like to have the rest of Town Council notified as well of this event. If you could please forward this email to the rest of Town Council so that they too are aware of the event this coming Friday. Thank you!

Mr. Winckowski – No report.

Mr. Long – No report.

Mr. O'Connell – Mr. O'Connell reported that he participated in a cleanup of Amico Island on Saturday morning. Individuals from the County explained that trash that ends up in the storm sewer empties into the creek, which a lot of people don't realize. In two hours he collected two large trash bags.

Ms. Pangia – No report.

Mrs. Kolodi – Mrs. Kolodi stated that the letter that was sent regarding the branch collection has been great. Many residents are no longer putting the branches in the street. However, now residents are complaining that the braches are killing their grass. She asked if it is posted where the truck will be.

Mr. Catrambone stated that it is posted on the website. Only the section is posted.

Mr. Hatcher stated that if they call Public Works they will be able to get a general idea as to when they will be in a particular area. If they are in Tenby Chase, they will start towards the back on Fox Chase and work their way forward. Once they are through the neighborhood, they may not be back for several weeks.

Mrs. Kolodi stated that she received a call from a resident on Southview Drive and she works with the Cinnaminson/Delran yard sale site. She called right after hearing about the fire at Hunters Glen asking what she could do. She was going to try and get donations from the site.

Mr. Catrambone – Mr. Catrambone stated that the Delran Business Association has asked the Township for a contribution towards the dinner honoring the Citizen of the Year. They are asking for \$1200. He understands that this is not something we have discussed but he told them he would bring this request to Council.

Mr. Paris stated that there is money in the Delran Day account to sponsor the event but it is up to Council to determine if they want to contribute towards the event.

Mrs. Kolodi stated that she was confused as to how the individual the chosen. She was under the impression that it kind of fell apart and then there was an announcement.

Mr. Paris stated that moving forward, Council will need to decide how this is going to run.

Ms. Pangia stated that she privately sponsored a table.

Mr. Catrambone stated that he will talk with Mike Anderson tomorrow and report back.

Mr. Paris – Mr. Paris stated that the speeding on Grande Blvd.is becoming a real issue. What else can we do other than increase the police presence.

Mr. Winckowski stated that the first step is to have the police conduct a speed study.

Mr. Paris stated that he will discuss this with the Chief.

Mr. Paris stated that he has received requests from residents that would like to have chickens. Several town are starting to permit chickens in residential zones. He asked if Council want to entertain this.

Ms. Pangia recommended that we send this to the Green Team because they can received points. There is also a sample ordinance through Sustainable Jersey.

Mr. Paris asked Council if they would allow Mr. Hatcher to look at the regulations adopted in other municipalities and report back to Council. Council agreed.

Mr. Paris stated that he received complaints above trash along Route 130.

PUBLIC PORTION

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

There were no comments.

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

Mrs. Kolodi made a motion, seconded by Ms. Pangia to enter into closed session for discussion on the following issue: Police Contract Negotiations and Personnel Issue/Confidential Secretary position.

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

Mr. O'Connell 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