

**REGULAR TOWNSHIP MEETING
MUNICIPAL BUILDING**

**May 1, 2018
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

SUNSHINE STATEMENT: Be advised the Township Council has given notice in accordance with the sunshine law in the following manner. Notice published in the Burlington County Times and Camden Courier Post on December 22, 2017 and posted on the bulletin board on the same date.

ROLL CALL: Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone were present. Mr. Schwartz arrived late.

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

APPROVAL OF MINUTES

Mr. O'Connell made a motion, seconded by Mr. Burrell to approve the minutes for the March 13, 2018 Work Session and Closed Session Meeting.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

Mrs. Kolodi made a motion, seconded by Mr. Burrell to approve the minutes for the March 27, 2018 Work Session.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi and Mr. O'Connell voted aye. Mr. Catrambone abstained.

Ayes: 3

Nays: None

Abstained: 1

Motion Approved

Mrs. Kolodi made a motion, seconded by Mr. Burrell to approve the minutes for the April 3, 2018 Public Meeting.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

ORDINANCE ON SECOND READING

**TOWNSHIP OF DELRAN
ORDINANCE 2018-03**

AN ORDINANCE AMENDING ORDINANCE 2017-15 TO ESTABLISH SALARIES FOR VARIOUS EMPLOYEES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND REGULATING THE MANNER OF PAYMENT OF SAME.

BE IT ORDAINED by the Township Council of the Township of Delran in the County of Burlington and State of New Jersey that the Township does hereby establish the following salary for the employee serving in the following position:

POSITION	ANNUAL SALARY 2018	ANNUAL SALARY 2019	ANNUAL SALARY 2020	PAY PERIOD
Sewer Executive Dir. Of Operations	\$90,000	\$91,800	\$94,095	Biweekly

Section II Repeal – All Ordinances or part of Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

Section III Adoption – This Ordinance shall take effect immediately upon its final adoption and publication according to law. This ordinance is retroactive to March 1, 2018.

Mr. Burrell made a motion to open the meeting to the public, seconded by Mr. O’Connell. All were in favor, motion approved.

There were no comments.

Mr. Burrell made a motion to close the public portion, seconded by Mrs. Kolodi. All were in favor, motion approved.

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Ordinance 2018-03 on second reading.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O’Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

ORDINANCE ON FIRST READING

**TOWNSHIP OF DELRAN
ORDINANCE 2018-04**

**ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING CHAPTER 150 OF THE
TOWNSHIP CODE CONCERNING SEWER RATES**

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Ordinance 2018-04 on first reading.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
ORDINANCE 2018-05**

**ORDINANCE OF THE TOWNSHIP OF DELRAN AMENDING CHAPTER 150
OF THE TOWNSHIP CODE TO ADD A FEE FOR FOOD
VENDORS ATTENDING TOWNSHIP SPONSORED EVENTS**

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Ordinance 2018-05 on first reading.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

RESOLUTIONS

**TOWNSHIP OF DELRAN
RESOLUTION 2018-87**

**APPROVING TOTALLY DISABLED VETERAN EXEMPTION
BLOCK 31, LOT 38**

Mrs. Kolodi made a motion, seconded by Mr. O'Connell to adopt Resolution 2018-87.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-88**

**REFUND OF DUPLICATE PAYMENT
BLOCK 118.19, LOT 1**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-88.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-89**

**REFUND OF HOMESTEAD TO TOTALLY
DISABLED VETERAN BLOCK 156, LOT 28**

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Resolution 2018-89.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-90**

**APPROVING RAFFLE LICENSE 547 & 548
NAACP WILLINGBORO AND VICINITY UNIT 2111**

Mr. O'Connell made a motion, seconded by Mr. Burrell to adopt Resolution 2018-90.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-91**

**REFUNDING FEE FOR CCO
PERMIT #20180007 IN THE AMOUNT OF \$150.00**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2018-91.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-92**

**AUTHORIZING THE TAX COLLECTOR TO
ACTIVATE THE SEWER ACCOUNT FOR
15 STARKE LANE AND BILL 2018 ACCORDINGLY**

Mr. Burrell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2018-92.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-93**

**WAIVING LATE FEE FOR 2018 VENDING MACHINE LICENSE
FOR TRI-STATE VENDING IN AMOUNT OF \$50.00**

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to adopt Resolution 2018-93.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-94**

**AUTHORIZING VARIOUS 2018 SEWER ADJUSTMENTS
FOR VARIOUS PROPERTIES**

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Resolution 2018-94.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
RESOLUTION 2018-95**

**REFUNDING 2018 MERCANTILE LICENSE FEE
TO BETHEL AUTO & VAN SALES**

Mrs. Kolodi made a motion, seconded by Mr. Burrell to adopt Resolution 2018-95.

There being no questions, the roll was called.

Mr. Burrell, Mr. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

MOTIONS

Mrs. Kolodi made a motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement. The motion was seconded by Mr. O'Connell.

There being no questions, the roll was called.

Mr. Burrell, Mrs. Kolodi, Mr. O'Connell and Mr. Catrambone voted aye.

Ayes: 4
Nays: None

Motion Approved

Mr. Schwartz arrived.

Mr. O'Connell made a motion, seconded by Mr. Burrell to accept the report of the Tax Collector and the Township Clerk.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

Mrs. Kolodi made a motion accepting the report of the CFO including the April YTD Revenue Report, YTD Budget Report and April Check Register. The motion was seconded by Mr. O'Connell.

There being no questions, the roll was called.

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

Ayes: 5

Nays: None

Motion Approved

Mr. Schwartz made a motion, seconded by Mrs. Kolodi granting the mercantile licenses listed below.

1. B & D Worldwide – 150A-29 Carriage Lane,
2. Finjack Enterprises – 1829 Underwood Blvd. , Unit 9
3. The King of Gains – 4000 Route 130 North, Unit 28
4. Alfredo's Brazilian Steakhouse BBQ, 4000 Route 130 North, Unit 14

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

Ayes: 5

Nays: None

Motion Approved

REPORTS

Ms. Eggers – Ms. Eggers reported that the next Blood Drive is scheduled for May 8th from 1:30-6:30 PM. If anyone would like to schedule an appointment they can contact the Clerk's Office.

Mr. Hatcher – Mr. Hatcher that the sports lighting has been installed at Delran Community. There are a few minor items that still need to be complete but the project is substantially finished.

Mr. Hatcher reported that the municipal building roof replacement will begin on Thursday and will be completed in sections.

Mr. Hatcher stated that Adirondack Energy has provided the equipment for the Power Conditioning project and the maintenance contractor will be handling the installation.

Mr. Hatcher reported that the bid opening for the Weir Tank Cleaning Improvements will be held on May 15th and the Sand Filters at the Sewer Plant have been installed.

Mr. Hatcher stated that he received a letter today from Judge Andronici thanking Council for the shadow box presented at the retirement party.

Solicitor – Mr. Grace reported that there was a hearing yesterday with regarding to Bohn v. Delran Township. The judge directed briefs to be submitted by tomorrow with responses due by Thursday.

Fire Commissioners - Mr. Bauer reported that the annual Mother's Day flower sale will be taking place this Fri-Sat and also Sunday if needed.

Mr. Bauer reported that both companies responded to Willingboro on an apartment fire. Preliminary reports show the fire started on the balcony and made its way to the roof before anyone called it in so there was extensive damage.

Mr. Bauer reported that Commissioner Kendra had major heart surgery on Friday and asked that prayer be sent.

Mr. Schwartz – Mr. Schwartz stated that there has been a lot of speculation regarding Holy Cross High School and he is happy to report that Diocese of Trenton is leasing the property to the Board of Trustees who will run the school.

Mr. Burrell – No report.

Mrs. Kolodi – No report.

Mr. O'Connell – Mr. O'Connell commended the RAC on the Diabetes Presentation last Friday night and thanked them for all their efforts.

Mr. Catrambone – Mr. Catrambone thanked the doctor for the diabetes presentation and the Mosque on Hartford Road for helping to fund the event.

Mr. Catrambone mentioned the passing of Township resident Dolores Cannone. Both her and her husband Joe attended many Council, Planning Board and Zoning Board meetings. They loved the community and we send our condolences to the family.

Mr. Paris – Mr. Paris stated that Dolores Cannone was a very good friend to him as well as Council. Along with her husband, they were very active with the Delran Seniors. They were also interested in what was happening in Delran and he sends his condolences to the family.

Mr. Paris stated that as the Mayor of Delran Township he would have expected that the identity of the Township Solicitor would be known to him and nominated and approved by him. Last week he was shocked to learn that an attorney he never appointed was the Solicitor for Delran Township. Under our form of government, the Mayor has the responsibility to nominate the Director of Law (Solicitor). He was very surprised and concerned when James Grace reported to be the Township Solicitor. Mr. Paris invited Council to show where he nominated James

Grace, Esq. to serve as the Director of Law for 2018. Mr. Paris stated that he has reviewed his notes and is confident he has never nominated Mr. Grace or his law firm to serve as the Director of Law. The record will reflect that in January 2017 he appointed law firm of Long Marmero, Douglas Long, to serve as the Director of Law. He understands that the law firm has been disbanded. Accordingly there is a vacancy in the position of Director of Law. He invites the Council to release a signed contract, with his name, designating the firm of Grace Marmero or James Grace to serve as the Township Solicitor. Mr. Paris stated that he in no way seeks to disparage Mr. Grace or his new law firm; however he poses the following questions. How many municipalities has Mr. Grace represented as the Township Solicitor? How many lawsuits has Mr. Grace prosecuted or defended as solicitor for those municipalities? There is ongoing COAH Litigation regarding Delran and Mr. Paris asked what experience Mr. Grace has in defending lawsuits regarding COAH? Let's put politics aside and choose the most qualified person for the job.

PUBLIC PORTION

Mr. O'Connell made a motion, seconded by Mrs. Kolodi to open the meeting to the public for any questions. All were in favor, the motion was approved.

Tom Morrow, 94 Pancoast Blvd., asked if Council is still proceeding with the removal of the median trip on Fairview Blvd.

Mr. Catrambone stated that discussion on the removal was on the agenda for the last work session and been tabled until the next work session since the Engineer will be in attendance.

Mr. Morrow stated that the area will be much improved with the removal. The traffic is horrible when it backs up. Mr. Morrow also discussed the possibility of having the Engineer reach out to the owner of the shopping center, especially Shop Rite, and asking them to install barriers in front of the stores to prevent vehicles from driving into the crowd and the store. The ShopRite in Cinnaminson has barriers and is owned by the same family. This would also prevent vehicles from parking on the sidewalk.

Mr. Morrow discussed the condition of Fairview Street and asked Mr. Hatcher to reach out to the County about the condition. The Township installed curbing and sidewalks on that road and it is now time for the County to improve the road.

Mr. Morrow stated that as everyone knows he was on Council during the early stages of Community Park. Mr. Morrow stated that since the recreational fields are now complete it is now time to focus on installing walking trails so that everyone can enjoy the park. It is a beautiful park and everyone should get to enjoy it.

Mr. Morrow stated that Faunce Street Park needs work. There has been a change over in his neighborhood and younger families are moving in. We would like Council to look into putting some money into improvements at Faunce Street Park. The kids deserve a place they can play. Mr. Morrow stated that it would be great if the Township purchased a mobile power washer for Public Works to take into the parks to help remove the graffiti and mold from the equipment.

Mr. Morrow stated that he appreciates Mr. Catrambone and Mr. Paris mentioning Dolores and Tony Cannone, who were both really good friends. He mentioned that he just saw Dolores Cannone a week ago. They were both very loyal residents and attended many meetings to stay

informed. The passing of Mrs. Cannone was a tremendous surprise to him and his wife and will be missed.

John Schmidt, Gloucester City, NJ, stated that at the last meeting Mrs. Kolodi asked him a question. The question was, who are you? Mr. Schmidt stated that he is a multiple interested person. We got involved and interested in the policies and procedures of municipal government and doing things right. One of the interested areas was the area of appointments. As recently as last year he encountered a situation where two Housing Authority members in a North Jersey community were not appointed according to the statute. He reported the issue to the State and the members immediately ceased to serve. He listened to comments by Mayor Paris and he asked in this form who nominates Department Directors.

Mr. Catrambone stated that the Mayor makes the nominations.

Mr. Schmidt stated that a few weeks ago the Council appointed Lou Gardy to serve as Special Counsel for the Township regarding a nominating petition issue. The issue was involved a petition not having the required number of signatures to be placed on the ballot. Mr. Schmidt stated that the candidate was Mr. Weir. Mr. Schmidt asked if Mr. Catrambone notarized the petition for Mr. Weir.

Mr. Catrambone stated that he would have to look at the petition but it is very possible that he did.

Mr. Schmidt stated that he understands from the case that following the petitions and the ruling of the Chief Elections Officer of the Municipality there were six common signatures between the two petitions and two affidavits submitted by two people stating that they did not wish to sign Mr. Bohn's petitions and only meant to sign the petition for Mr. Weir. He understands those affidavits were attested to by Mr. Burrell and asked if that is accurate.

Mr. Burrell stated that he notarized their signatures.

Mr. Schmidt stated that it was those documents that were subject to review of the Special Counsel, appointed by Council. It is possible that one member of Council had a hand in notarizing the petition and another member of Council notarizing the affidavits. Those two Council members have a direct interest in the issue at hand because of their participation.

Mr. Catrambone stated that he is not sure that is true. The notary is only verifying that they know the individual and they signed the form in their presence. There is no attestation that they endorse the document.

Mr. Schmidt stated that by notarizing the documents, they were involved in the making of a document. There would not be a petition or an affidavit without the notary. Mr. Schmidt stated that at the last meeting Council approved the drafting of an RFP for an Ethics Attorney and asked if that attorney will look into whether there was any ethics violation or potential conflict of interest into whether Mr. Catrambone or Mr. Burrell should have recused themselves from voting on the appointment of Lou Gardy as Special Council.

Mr. Grace stated that since we are currently in litigation at this point Mr. Catrambone and Mr. Burrell do not have to respond. Mr. Grace stated that the explanation by Mr. Burrell of the responsibilities of a notary were accurate.

Mr. Schmidt stated that there were questions asked at the last meeting regarding signatures and notary signatures on the 2014 primary petition filed by Mr. Schwartz. Mr. Schmidt asked Mr. Schwartz if he signed his 2014 petition in February of 2014.

Mr. Schwartz stated that with all do respect, he is not answering any questions.

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 Mr. O'Connell to adjourn the meeting. All were in favor, the meeting adjourned.

Submitted,

Jamey Eggers
Municipal Clerk