

### TOWNSHIP OF DELRAN

### PUBLIC MEETING

### MAY 4, 2021 | 7:00 PM

### VIA ZOOM WEBINAR (NOT IN PERSON)

Zoom Information:		nation: Webinar ID: 864 2201 2725				
		https://us02web.zoom.us/j/86422012725				
I.	Call	Order				
II.	Salut	to the flag				
III.	accor Coun	ine Statement: Be advised that proper notice has been given by the Township Council ance with the sunshine law in the following manner. Notice advertised in the Burlington Times and Camden Courier Post on January 7, 2021 and posted on the bulletin board one date.				
IV.	Roll	all: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell				
V.	Minu	es for approval				
	a.	A motion approving the minutes for the March 9, 2021 Action, Work Session and Close Session Meeting.				
		Moved By Seconded By				
VI.	2021	2021 MUNICIPAL BUDGET				
	a.	Resolution 2021-78 Providing for Self-Examination of the 2021 Municipal Budget				
		Moved By Seconded By				
		Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell				
		Ayes: Nays: Approved:				
	b.	Resolution 2021-79 Allow the Budget to be Read by Title				
		Moved By Seconded By				
		Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell				

	Ayes:
	Nays: Approved:
	Approved.
c.	Public Hearing on the 2021 Municipal Budget
	i. Motion to open the meeting for Public Comments.
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes: Nays:
	Approved:
d.	Resolution 2021-80 Adopting the 2021 Municipal Budget
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes:
	Nays:
	Approved:
VII.	Ordinance(s) On Second Reading
a.	ORDINANCE 2021-07 AN ORDINANCE REPEALING CHAPTER 12," TRAFFIC", SECTION 12-3.8, "SNOW REMOVAL", OF THE CODE OF THE TOWNSHIP OF DELRAN AND REPLACING WITH NEW CHAPTER 12, "TRAFFIC", SECTION 12-3.8, "SNOW REMOVAL."
	i. PUBLIC HEARING
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes:
	Nays: Approved:
	Approved:
b.	ORDINANCE 2021-08 AN ORDINANCE REPEALING CHAPTER 43," PURCHASING", SECTION 43-2, "PROCESS OF AWARD FOR PROFESSIONAL SERVICE CONTRACTS", OF THE CODE OF THE

i. PUBLIC HEARING

TOWNSHIP OF DELRAN

	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes: Nays: Approved:
VIII.	Ordinance(s) on First Reading
	a. ORDINANCE 2021-09 AN ORDINANCE TO ESTABLISH SALARY RANGES FOR VARIOUS EMPLOYEES OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND REGULATING THE MANNER OF PAYMENT OF SAME
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes: Nays: Approved:
IX.	Resolution(s)
	a. Resolution 2021-81 Authorizing the Township of Delran to enter into a Mutual Release and Settlement Agreement with 4101 Bridgeboro Road LLC
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes: Nays: Approved:
	b. Resolution 2021-82 Awarding contract for Janitorial Services to CNS Cleaning Co. Inc.
	Moved By Seconded By
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell
	Ayes: Nays: Approved:
Χ.	Consent Agenda

Resolution 2021-83 Authorizing the Tax Collector to create Sewer Accounts and 2021 a.

billing for various residential properties

XI.

XII.

d.

e.

Solicitor – Salvatore J. Siciliano, Esq.

Council Members

b.	Resolution 2021-84 Refunding Tax Overpayment		
c.	<b>Resolution 2021-85</b> Refunding Overpayment of Sewer Connection Fees for Various Properties		
d.	Resolution 2021-86 Authorizing 2021 Sewer Adjustments		
	Moved By Seconded By		
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell		
	Ayes: Nays: Approved:		
Motion	n(s)		
a.	A motion authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement		
	Moved By Seconded By		
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell		
	Ayes: Nays: Approved:		
b.	A motion accepting the report of the Tax Collector and Township Clerk		
	Moved By Seconded By		
	Roll Call: Mr. Smith, Mr. Jeney, Ms. Parejo, Mr. Lyon, Mr. Burrell		
	Ayes: Nays: Approved:		
Repor	ts		
a.	Clerk – Jamey Eggers		
b.	Administrator – Jeff Hatcher		
c.	Mayor Catrambone		

XIII. Public Comments

XIV. Adjournment

### PROVIDING FOR SELF EXAMINATION OF THE 2021 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Delran has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2021 budget year, so

**NOW THEREFORE BE IT RESOLVED**, by (not less than a majority of the full membership) the Township Council of the Township of Delran that in accordance with N.J.A.C. 5:30-7.6a and b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

- 1. That with reference to the following items, the amount have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amount required for school purposes
- 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP: law).
- 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  - 4. That pursuant to the Local Budget Law:
    - a. All estimates of revenue are reasonable, accurate, and corrected stated:
    - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
- 5, The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  - 6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

ī	Township Clerk	Council President

**WHEREAS,** N.J.S.A. 40A:4-8, as amended by L.2015, c. 95, §14, 2015 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection and has been made available to each person upon request; and

WHEREAS, these two conditions have been met.

**NOW, THEREFORE, BE IT RESOLVED,** that the 2021 budget shall be read by title only.

Dated: May 4, 2021	
Taumahin Clark	Council Duosident
Township Clerk	Council President

#### **RESOLUTION TO ADOPT THE 2021 CY BUDGET**

**BE IT RESOLVED,** by the Township Council of the Township of Delran, County of Burlington that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of:

- a) \$11,278,695.45 (Item 2 below) for municipal purposes, and
- d) \$325,000.00 Open Space, Recreation, Farmland and Historic Trust Fund Levy

#### **SUMMARY OF REVENUES**

4	SUMMART OF REVENUES	
1.	General Revenues Surplus Anticipated Miscellaneous Revenues Anticipated Receipts from Delinquent Taxes	4,301,500.00 1,829,701.00 300,000.00
2.	Amount to be raised by taxation for municipal Purposes (Item 6(a), Sheet 11)	11,278,695.45
Total	Revenues	17,709,896.45
	SUMMARY OF APPROPRIATIONS	
5.	General Appropriations Within "Caps"	
	(a&b) Operations including Contingent (e) Deferred Charges & Statutory	\$11,693,265.00
	Expenditures – Municipal Excluded from "Caps"	1,735,456.00
	(a) Operations – Total excluded from "Caps" (c) Capital Improvements	132,831.00 50,000.00
	(d) Municipal Debt Service	1,641,300.00
	<ul><li>(e) Deferred Charges</li><li>(m) Reserve for Uncollected Taxes</li></ul>	194,044.45
	(Include other Reserves if Any)	2,263.000.00
Total	Appropriations	17,709,869.45
DATE	ED: May 4, 2021	
TO	WNSHIP CLERK Tyler Burrell	

**President of Council** 

#### **TOWNSHIP OF DELRAN**

#### **ORDINANCE 2021-07**

AN ORDINANCE REPEALING CHAPTER 12," TRAFFIC", SECTION 12-3.8, "SNOW REMOVAL", OF THE CODE OF THE TOWNSHIP OF DELRAN AND REPLACING WITH NEW CHAPTER 12, "TRAFFIC", SECTION 12-3.8, "SNOW REMOVAL."

**SECTION ONE.** Chapter 12, "Traffic", Section 12-3.8, "Snow Removal", of the Code of the Township of Delran, be and the same is hereby repealed and replaced thereto with the following:

#### Chapter 12

#### §12-3.8 Snow Removal:

- A. During an actual emergency or disaster, or a forecast emergency or disaster in Delran Township, the Delran Emergency Management Coordinator or, in his absence, a Deputy Emergency Management Coordinator or designee may issue an emergency proclamation as authorized by state law (NJ Civil Defense Act of 1942, amended and supplemented by Chapter 251, P.L. 1942) designating that there shall be no parking upon those streets or parts of streets identified in the emergency proclamation. The emergency proclamation will establish a date and time of commencement, and a superseding emergency proclamation will be issued establishing a date and time for the termination of such emergency.
- B. These regulations shall be in addition to and supplement all other laws of the State of New Jersey, the County of Burlington, and the Township of Delran.
- C. Notification as to the date and time of the commencement of such declared emergency, as well as the date and time of the declaration of the end of such emergency, may be made by any or all of the following: Township Reverse 911; Township website; news media.
- D. Removal of vehicles. Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance to the safe and proper regulation and movement of traffic, and any police officer may provide for the immediate removal of such vehicle. The owner shall pay the reasonable costs for the removal and storage which may result from such removal before regaining possession of the vehicle.
- E. Violations and penalties. The fine for violation of this article shall be \$50, plus court costs, which may be paid through the Municipal Court or imprisonment for a term not exceeding 15 days, or both.
- **SECTION TWO.** Chapter 12, "Traffic", Section 12-3.8, "Snow Removal", be and the same is hereby amended.

**SECTION THREE.** Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION FOUR.** This Ordinance shall take effect on upon its passage and publication according to law.

MEMBERS OF COUNCIL	AYE	NAY	ABSENT
Mr. Smith			
Mr. Jeney			
Ms. Parejo			
Mr. Lyon			
Mr. Burrell			

Introduced: April 6, 2021	
Adopted:	
JAMEY EGGERS MUNICIPAL CLERK	CARV CATRAMRONE MAYOR

### TOWNSHIP OF DELRAN ORDINANCE 2021-08

# AN ORDINANCE REPEALING CHAPTER 43," PURCHASING", SECTION 43-2, "PROCESS OF AWARD FOR PROFESSIONAL SERVICE CONTRACTS", OF THE CODE OF THE TOWNSHIP OF DELRAN

**SECTION ONE.** Chapter 43, "Purchasing", Section 43-2, "Process of Award for Professional Service Contracts", of the Code of the Township of Delran, be and the same is hereby repealed.

**SECTION TWO.** Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION THREE.** This Ordinance shall take effect upon its passage and publication according to law.

MEMBERS OF COUNCIL	AYE	NAY	ABSENT
Mr. Smith			
Mr. Jeney			
Ms. Parejo			
Mr. Lyon			
Mr. Burrell			

Introduced: April 6, 2021	
Adopted:	
JAMEY EGGERS, MUNICIPAL CLERK	GARY CATRAMBONE, MAYOR

### TOWNSHIP OF DELRAN ORDINANCE 2021-09

# AN ORDINANCE TO ESTABLISH SALARY RANGES 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 ranges for the employees serving in the following position:

POSITIONS	Annual 2021 Salary Range	Pay Period	Effective Date
Interim Chief of Police	\$122,000 - \$130,000	Bi Weekly	4/1/2021

**Section II Repeal -** All ordinances or parts 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 twenty days after final adoption and publication according to law. This Ordinance is retroactive respectively to April 1, 2021.

MEMBERS OF COUNCIL	AYE	NAY	ABSENT	ABSTAIN
Mr. Smith				
Mr. Jeney				
Ms. Parejo				
Mr. Lyon				
Mr. Burrell				

Mr. Burrell		
Introduced:		
Adopted:		
IAMEY EGGERS, MUNICIPAL CLERK	GARY CATRA	MRONE, MAYOR

#### AUTHORIZING THE TOWNSHIP OF DELRAN TO ENTER INTO A MUTUAL RELEASE AND SETTLEMENT AGREEMENT WITH 4101 BRIDGEBORO ROAD LLC

**WHEREAS,** 4101 Bridgeboro Road LLC allows the operation of a landscaping business, Dunphy Landscaping LLC on their property pursuant to Court Order; and

**WHEREAS**, 4101 Bridgeboro Road LLC, and affiliated entities and individuals have threated the to bring the following claims against the Township of Delran, some stemming from the previous legal disputes:

- 1. Civil Rights violations under 42 USC 1983 et. seq. / this will include all Municipal entities, who could qualify as state actors (Fee shifting)
- 2. RICO (civil) under 18 USC 1962
- 3. Trespass
- 4. Unlawful taking
- 5. Interference with quiet enjoyment
- 6. Harassment
- 7. Retaliatory conduct
- 8. Defamation
- 9. Civil Acts Retaliation under N.J.S.A. 10:6-1 et seq (potential fee shifting)
- 10. Abuse of office / power
- 11. Disparate treatment (other landscaping entities in the Delran Township A-1 Zone)
- 12. Intentional infliction of emotional distress
- 13. Negligent infliction of emotional distress
- 14. Fraud and fraudulent misrepresentation
- 15. Negligent misrepresentation
- 16. Malicious prosecution
- 17. Conflict of Interest
- 18. Failure to disclose
- 19. OPRA violations (potential fee shifting)
- 20. Tortious interference with economic advantage
- 21. Tortious interference with contract
- 22. Violation of the Local Government Ethics Law
- 23. Violation of the Municipal Land Use Law; and

**WHEREAS,** 4101 Bridgeboro Road LLC has agreed to not bring the above claims per the terms of a "Mutual Release Agreement"; and

**WHEREAS,** a representative from 4101 Bridgeboro Road, Dunphy Landscaping, LLC and those individuals involved with the business has executed a written "Mutual Release Agreement" to avoid future litigation on these issues and the Township of Delran must also execute the same.

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Delran, in the County of Burlington, and State of New Jersey, that the requested agreement is to be executed.

**BE IT FURTHER RESOLVED,** that the Township Council authorizes the President of Council and/or Clerk to execute the Agreement "MUTUAL RELEASE AGREEMENT" to reflect the agreement reached.

DATED: May 4, 2021	
TOWNSHIP CLERK	Tyler Burrell, President of Council

### RESOLUTION AWARDING CONTRACT FOR JANITORIAL SERVICES TO CNS CLEANING CO. INC.

**WHEREAS**, bids were solicited for the providing of janitorial services for the Township of Delran; and

WHEREAS, three (3) bids were received by the Township Clerk on April 13, 2021 as follows:

<u>Name</u> <u>Bid</u>

1. ACB Cleaning Services, Inc. \$39,000.00/per year four days per week

2. CNS Cleaning Co., Inc. \$39,468.00/per year five days per week

3. PJ Building \$40,800.00/per year five days per week

WHEREAS, the proposal submitted by CNS Cleaning Co., Inc., the lowest bidder, is responsive and compliant with the bid specifications and applicable provisions of the Local Public Contracts Law; and

WHEREAS, the Treasurer has certified that funds are available for the award of this contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Delran that the bid for janitorial services is hereby awarded to CNS Cleaning Co., Inc.; and

**BE IT FURTHER RESOLVED** that the Mayor Gary Catrambone, is hereby authorized to execute a contract with CNS Cleaning Co., Inc. in the amount of \$39,468.00 per year as set forth in its proposal.

**Dated: May 4, 2021** 

Jamey Eggers, Township Clerk

Tyler Burrell
President of Council

### AUTHORIZING THE TAX COLLECTOR TO CREATE SEWER ACCOUNTS AND 2021 BILLING FOR VARIOUS RESIDENTIAL PROPERTIES

WHEREAS, the following residential properties received sewer connection approval; and

**WHEREAS**, a new sewer account should be created and billed accordingly as indicated below:

	PROPERTY LOCATION: BLOCK/LOT: USE: 2021 BILLING: EFFECTIVE DATE: CO DATE:	319 HIDDEN ACRES LANE 116.02/23.40 Residential \$102.75 per quarter 2 <sup>ND</sup> Quarter 2021 due 07/01/21 January 21, 2021	
	PROPERTY LOCATION: BLOCK/LOT: USE: 2021 BILLING: EFFECTIVE DATE: CO DATE:	317 HIDDEN ACRES LANE 116.02/23.39 Residential \$102.75 per quarter 3 <sup>rd</sup> Quarter 2021 due 10/01/2021 April 26, 2021	
	PROPERTY LOCATION: BLOCK/LOT: USE: 2021 BILLING: EFFECTIVE DATE: CO DATE:	315 HIDDEN ACRES LANE 116.02/23.38 Residential \$102.75 per quarter 3 <sup>rd</sup> Quarter 2021 due 10/01/2021 April 7, 2021	
	PROPERTY LOCATION: BLOCK/LOT: USE: 2021 BILLING: EFFECTIVE DATE: CO DATE:	313 HIDDEN ACRES LANE 116.02/23.37 Residential \$102.75 per quarter 3 <sup>rd</sup> Quarter 2021 due 10/01/2021 April 12, 2021	
NOW, THEREFORE, BE IT RESOLVED by the Township Council that the above sewer account be created and billed 2021 sewer accordingly by the Tax Collector.			
DATED:			
Jamey Egger Municipal Cle		Tyler Burrell President of Council	_

#### REFUNDING TAX OVERPAYMENT

**WHEREAS**, the Tax Collector certifies to the Mayor and the Township Council of the Township of Delran, that the tax records reflects an overpayment for the following account:

Block/Lot/Qual	Address	Make Check Payable to	Amount
37.02/18	515 LEON AVE	WEIL, GEORGE E IV 515 LEON AVE Delran, NJ 08075	\$513.03

**BE IT RESOLVED** that copies of said resolution be forwarded to the Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

Dated: May 4, 2021	
Jamey Eggers, Township Clerk	Tyler Burrell, Council President

### REFUNDING OVERPAYMENT OF SEWER CONNECTION FEES FOR VARIOUS PROPERTIES

WHEREAS, NVR/Ryan Homes made payment for sewer connection fees on various properties; and

**WHEREAS,** fees paid were based on the amount due for a single-family home which is \$6,095.20 per unit for a total payment of \$48,761.60; and

**WHEREAS**, the properties are 1-2 bedroom attached dwellings and also affordable units which receive a 50% reduction in the connection fee; and

WHEREAS, the actual payment due for the properties is outlined below:

101 Hidden Acres Lane	\$ 1,676.18
103 Hidden Acres Lane	\$ 2,285.70
105 Hidden Acres Lane	\$ 1,676.18
107 Hidden Acres Lane	\$ 2,285.70
109 Hidden Acres Lane	\$ 1,676.18
111 Hidden Acres Lane	\$ 2,285.70
113 Hidden Acres Lane	\$ 1,676.18
115 Hidden Acres Lane	\$ 2,285.70
TOTAL	\$15,847.52

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Delran that NVR/Ryan Homes be refunded the overpaid for sewer connection fees in the amount of \$32,914.08 and that the Township Clerk file a signed copy of this resolution with the Chief Financial Officer.

OATED: May 4, 2021	
Township Clerk	Tyler Burrell, Council President

#### **AUTHORIZING 2021 SEWER ADJUSTMENTS**

**WHEREAS**, the Township Council has reviewed the sewer billing and other documentations submitted; and

**WHEREAS,** after discussion, Township Council agreed that the following adjustments 2021 sewer billing be adjusted as follows:

Jamey Eggers Municipal Clerk		Tyler Burrell Council President	
Dated:			
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of authorizes the Tax Collector to make to above adjustments.			
BLOCK & LOT 120.05 & 29	ACCOUNT NUMBER 2355529-0	ADJUSTED QUARTERLY AMOUNT \$102.75 ( 9,000 gallons) Residential	
BLOCK & LOT 136 & 15	ACCOUNT NUMBER 11910070-0	ADJUSTED QUARTERLY AMOUNT \$102.75 (7,000 gallons) Residential	
BLOCK & LOT 125 & 21	ACCOUNT NUMBER 10232436-0	\$102.75 ( 8,000 gallons) Residential	