

**WORK SESSION
MUNICIPAL BUILDING**

**May 23, 2023
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 6, 2023 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell were present.

ALSO PRESENT: Mr. Catrambone, Mayor, Mr. Tabakin, Solicitor (via conference line), Mr. D'Armiento, Engineer, Mr. Bellina, Administrator, and Ms. Eggers, Township Clerk

JIF SAFETY REVIEW PRESENTATION

Joe Henry from Hardenbergh Insurance stated that every year he develops a safety related topic to focus on. This year the topic is "Avoid Complacency and Manage Risk." During his presentation, Mr. Henry gave examples of negative incidents that occurred in various municipalities throughout the state and offered advice regarding how to avoid mishaps.

STEWART AVENUE RECONSTRUCTION PROJECT UPDATE

Mr. D'Armiento reported that PSE&G just finished installing the gas main on Stewart Avenue and have followed up with doing the surfaces. New Jersey American Water will now relocate their water main which is in conflict with our proposed storm water improvements. The tentative goal is to start construction in September. Public bid will be advertised as soon as DOT approval is received.

CREEK ROAD SEWER UPDATE

Mr. Bellina reported that the county would like to extend their sewer line to their facility on Creek Road. The county is funding the project. Delran Township will prepare final design documents this summer and then go out for public bid. Construction will tentatively begin this October.

FLOATING HOLIDAYS/JUNETEENTH

Mr. Bellina stated that per the existing contract, two floating holidays are allowed during the calendar year. Employees have selected July 3rd and December 26th. In addition to this, Delran Township will observe Juneteenth on Friday, June 16th since that is what the state of NJ is doing.

LATE FEE WAIVER REQUEST VENDOMATIC

Ms. Eggers reported that Vendomatic is requesting that their late fee be waived. It is her recommendation to approve this request. She explained that late fees can be more than the actual licensing fee. Mr. Burrell asked Mr. Bellina if this can be reviewed and possibly amended so that the fee is a more manageable amount. Ms. Eggers will create a resolution for the next public

meeting to approve this request.

SEWER CLAIMS (Added to Agenda)

Ms. Eggers explained that five residents have submitted waivers. All documents were reviewed with the tax collector and approval of the waivers was recommended. There will be a resolution on the next agenda for final approval. There may be one more approved waiver that is currently pending while additional background information is collected.

MINUTES FOR APPROVAL

Mrs. Apeadu made a motion, seconded by Mr. Smith to approve the minutes for the April 11, 2023 Public Meeting.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

ORDINANCE(S) ON FIRST READING

Ordinance 2023-11 An Ordinance Of The Township Of Delran, Burlington County, New Jersey Amending The Township Of Delran Code Chapter 355 “Zoning” Article Xiii “Planned Commercial Development District PCD”, Section 54 “Permitted, Conditional And Prohibited Uses” Subsection B And Chapter 355 “Zoning”, Article Xi “General Commercial District C-2”, Section 43 “Permitted, Conditional And Prohibited Uses”, Subsection B(10) And Establishing Subsections B Through E Of Chapter 355 “Zoning”, Article Xi “General Commercial District C-2”, Section 44 “Conditional Use Standards “And Establishing Chapter 355 “Zoning” Article Xiii “Planned Commercial Development District PCD”

Mr. D’Armiento explained the details of the ordinance.

Ms. Eggers stated that this ordinance will have to go to the planning board for review prior to coming back to council for second reading.

Mr. Jeney made a motion, seconded by Mr. Lyon.

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

Ayes: 5

Nays: None

Motion Approved

ORDINANCE(S) ON SECOND READING

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.

Mr. Smith made a motion to open the meeting to the public, seconded by Mr. Jeney. All were in favor, motion approved.

There were no comments

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

Mr. Lyon made a motion, seconded by Mr. Smith to adopt Ordinance 2023-06 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

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.

Mr. Lyon made a motion to open the meeting to the public, seconded by Mrs. Apeadu. All were in favor, motion approved.

There were no comments

Mr. Jeney made a motion to close the public portion, seconded by Mr. Smith. All were in favor, motion approved.

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt Ordinance 2023-07 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

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.

Mr. Jeney made a motion to open the meeting to the public, seconded by Mr. Smith. All were in favor, motion approved.

There were no comments

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

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt Ordinance 2023-08 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

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	\$68,000	\$3,400	\$64,600	15 years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
	limited to, Security Upgrades, Flooring Replacement and Conference Room Upgrades, together with the completion of all work necessary therefor or related thereto				
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 Department including, but not limited to, Fingerprint System, together with the completion of all work necessary therefor or related thereto	28,000	1,400	26,600	7 years
	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.

Mr. Lyon made a motion to open the meeting to the public, seconded by Mr. Smith. All were in favor, motion approved.

There were no comments

Mr. Lyon made a motion to close the public portion, seconded by Mr. Smith. All were in favor, motion approved.

Mr. Lyon made a motion, seconded by Mrs. Apeadu to adopt Ordinance 2023-09 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

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	\$1,000,000	\$0	\$1,000,000	30 years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
	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				

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.

Mr. Smith made a motion to open the meeting to the public, seconded by Mr. Jeney. All were in favor, motion approved.

There were no comments

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

Mr. Smith made a motion, seconded by Mr. Lyon to adopt Ordinance 2023-10 on second reading.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

CONSENT AGENDA

- a. **Resolution 2023-77** Refunding Mulch Payment
- b. **Resolution 2023-78** Approving Raffle License #628 for Friends of Ron, Inc.
- c. Approval of Minutes:
 - 4/11/23 Public Meeting
- d. Authorizing the Payment of Bills including all purchases made under the Cooperative Purchasing Agreement

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt the above Consent Agenda.

There being no questions the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

REPORTS

Mr. Bellina – Mr. Bellina stated that, at a previous meeting, a resident reported a pot hole on Bentwood Drive that had been patched in the past but always comes back. Mr. Bellina explained that it was recently inspected and given a temporary patch. During a future road project, a cut out and patch will be done to see if there is something underground that is causing this issue.

Mr. Bellina also commented that a resident sent an email requesting that the township put together a schedule outlining the Army Corps project. He stated that this will probably be done once we execute an agreement with them.

Ms. Eggers – No report

Mr. Catrambone – Mr. Catrambone had an opportunity to attend the STEM Fair at the high school last week with some of the council members. He stated that it was wonderful to see the kids excited about science, technology, engineering and math.

Mr. Catrambone also reminded residents that Memorial Day weekend is coming up and people should remember those who gave everything.

Mr. Tabakin – No report

Mr. D’Armiento – Mr. D’Armiento commented that the 2023 road program will be advertised in the near future with the intention to award the project at the next work session on June 27th.

Mrs. Apeadu – No report

Mr. Smith – Mr. Smith asked residents to remember those that made the ultimate sacrifice for our country when they are celebrating over the holiday weekend. Mr. Smith reported that Delran schools will be closed Friday, Monday and Tuesday so when driving, residents should be aware of children out in the community.

Mr. Jeney – Mr. Jeney mentioned that Verizon has sent out a notice that service for cell phones and wireless networks may be interrupted in the Forest Hills and Cambridge areas of Delran while they are working during the next two weeks.

Mr. Lyon – Mr. Lyon advised residents to take a moment to remember people this Memorial Day who gave the ultimate sacrifice. He also congratulated recent college graduates.

Mr. Burrell – Mr. Burrell asked residents to remember what Memorial Day is really about while they are enjoying the holiday weekend. He also congratulated Mr. Lyon who recently became a grandfather.

PUBLIC COMMENT

Mrs. Apeadu made a motion to open the floor to public comment, seconded by Mr. Smith. All were in favor; the motion was approved.

Latia Ray, 117 Creek Road – Ms. Ray asked about an application her husband submitted for a veteran’s tax break. Ms. Eggers explained that the discount usually is applied in the third quarter. She will check the status of the paperwork.

Kim Custer, 48 Norman Avenue – Ms. Custer reported that boom parties from Philadelphia are causing a noise disturbance on the weekends in her neighborhood. Mr. Burrell explained that she should call the non-emergency number for the Delran Police department so that it is documented. Mr. Catrambone stated that yesterday, Senators Cruz-Perez, Beach and Singleton introduced a bill to establish penalties for boom cars.

Ms. Custer also stated that she would love to see a branch of the county, public library in Delran Township. She thinks it would be beneficial to have a space where residents could come together for meetings, tutoring, story time, etc. Mr. Catrambone explained that there is a branch of the county library close by but it doesn’t hurt to ask. He would like to see a community center that would be available for the activities Ms. Custer mentioned. He commented that finding a space is the first challenge in reaching that goal.

Mr. Lyon made a motion, seconded by Mrs. Apeadu to close the meeting to the public All were in

favor; the motion was approved.

EXECUTIVE SESSION At this time, Mr. Burrell asked for a motion to adopt Resolution 2023-79 authorizing the executive session.

**TOWNSHIP OF DELRAN
RESOLUTION 2023-79**

**AUTHORIZING EXECUTIVE SESSION TO DISCUSS THE FOLLOWING: CWA
CONTRACT NEGOTIATIONS**

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 May 23, 2023 for the following reasons:

1. CWA Contract Negotiations

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

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Resolution 2023-79.

There being no questions, the roll was called.

Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon, and Mr. Burrell voted aye

Ayes: 5

Nays: None

Motion Approved

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

Mr. Lyon made a motion to adjourn the meeting, seconded by Mrs. Apeadu. All were in favor; the meeting was adjourned.

Submitted,

Jamey Eggers
Municipal Clerk